

April 18 2013 11:20 AM

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

KEVIN STOCK
COUNTY CLERK
NO: 09-1-03816-5

DIVISION II

In re-the Personal Restraint Petition of

Rosemary Pargoud,

Petitioner.

No. 43606-0-II
(Consolidated with 436116)

CERTIFICATE OF FINALITY

Pierce County

Superior Court No. 09-1-03815-7; 09-1-
03816-5

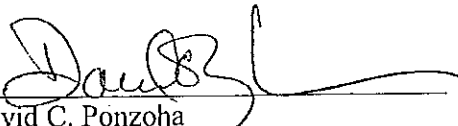
THE STATE OF WASHINGTON TO: The Superior Court of the State of Washington in and
for Pierce County.

This is to certify that the decision of the Court of Appeals of the State of Washington,
Division II, filed on December 21, 2012, became final on January 23, 2013.

Judgment Creditor: State of Washington: \$534.00
Judgment Debtor: Rosemary H. Pargoud: \$534.00



IN TESTIMONY WHEREOF, I have hereunto set my
hand and affixed the seal of said Court at Tacoma, this
18th day of April, 2013.


David C. Ponzoha
Clerk of the Court of Appeals,
State of Washington, Division II

cc: State of Washington

Rosemary H. Pargoud
Mission Creek Corr. Ctr.
3420 NE Sand Hill Rd
Belfair, WA 98528

Brian Neal Wasankari

April 18 2013 11:21 AM

KEVIN STOCK
COUNTY CLERK

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

In re the
Personal Restraint Petition of

ROSEMARY H. PARGOUD,

Petitioner.

No. 43606-0-II, consolidated with
No. 43611-6-II

ORDER DISMISSING PETITION

FILED
COURT OF APPEALS
DIVISION II
2012 DEC 21 PM 1:17
STATE OF WASHINGTON
BY 44
DEPUTY

Rosemary H. Pargoud seeks relief from personal restraint imposed after she pleaded guilty to first degree theft (4 counts) and forgery (2 counts) under Pierce County cause number 09-1-03815-7 and to one count of forgery under Pierce County cause number 09-1-03816-5. We consolidated the identical petitions that Pargoud filed under each cause number. Pargoud contends that (1) she did not receive adequate information about her options during the plea negotiations, (2) she was not adequately informed of several sentencing possibilities, (3) she was never informed of the double jeopardy that would result from being required to pay civil and criminal restitution, (4) she did not understand the amount of restitution she would have to pay, (5) the State and the trial court breached the plea agreement by recommending and imposing a sentence of 43 months, (6) she entered the plea to the single count of forgery under duress, and (7) she

received ineffective assistance of counsel when her attorney advised her not to proceed with a motion to withdraw her guilty plea.¹

To be entitled to relief, Pargoud must show constitutional error resulting in actual and substantial prejudice or nonconstitutional error resulting in a complete miscarriage of justice. *In re Pers. Restraint of Cook*, 114 Wn.2d 802, 813 (1990). Pargoud's claims implicate constitutional error. Due process requires that a guilty plea be knowing, intelligent, and voluntary, and a defendant has a Sixth Amendment right to effective counsel. *State v. Codiga*, 162 Wn.2d 912, 922 (2008); *State v. Hendrickson*, 129 Wn.2d 61, 77 (1996).

Pargoud was initially charged with nine counts of first degree theft, forgery, and bail jumping under cause number 09-1-03815-7. The State dismissed two of the forgery counts and the bail jumping count when she agreed to plead guilty. The State also agreed to recommend an exceptional sentence downward of 29 months if Pargoud paid restitution before sentencing and a high-end standard range sentence of 43 months if she did not. Pargoud did not pay restitution, and the trial court sentenced her to 43 months' incarceration. Under cause number 09-1-03816-5, Pargoud was originally charged with two counts of forgery and one count of bail jumping. The State dismissed one count of forgery and the bail jumping charge when she agreed to plead guilty, and the trial court imposed the concurrent 22 month sentence that the State recommended. A civil judgment of \$22,297.87 was entered against Pargoud in favor of her victims before these charges were filed. The trial court ultimately ordered her to pay the amount of the civil judgment as restitution in cause number 09-1-03815-7.

¹ Pargoud raises new challenges in her reply brief that we decline to consider. RAP 10.3(c).

Pargoud appears to challenge the voluntariness of her plea in arguing that she was not afforded the opportunity to discuss cause number 09-1-03815-7 in detail and did not have the opportunity to view the State's evidence against her. In the statement on plea of guilty that she signed, however, she acknowledged that she wrote four checks to herself without the check owners' authorization and cashed them. She further admitted that she forged the signatures on the checks. She also acknowledged that she had received and reviewed a copy of the second amended information, which set forth the elements of her crimes. These acknowledgments undermine Pargoud's claim that she did not have the opportunity to review the evidence against her.

She also claims that she was not informed of her right to have each cause number heard separately. Pargoud entered separate pleas, however, and she does not disclose any prejudice that she suffered as a result of the contemporaneous and concurrent sentencing that followed.

Pargoud also claims that she was not informed of the possibility that some of her offenses could count as a single offense under the same criminal conduct rule and thus serve to lessen her sentence. Crimes constitute the same criminal conduct if they were committed against the same victim on the same date and involved the same criminal intent. RCW 9A.589(1)(a). Each of Pargoud's thefts was committed on a different date, as were each of her forgeries. She committed one count of theft and one count of forgery on March 1, 2008, and another pair of the same offenses on May 1, 2008. These sets of offenses do not constitute the same criminal conduct, however, because first degree theft and forgery require different objective intents. First degree theft, as charged by the State, is committed with "intent to deprive" the owner of property or services.

RCW 9A.56.020(1)(a). Forgery, by contrast, is falsely making, completing, or altering a written instrument with "intent to injure or defraud." RCW 9A.60.020(1)(a). First degree theft and forgery have different criminal intents and do not constitute the same criminal conduct.

Pargoud also complains that she was not informed of sentencing alternatives for defendants with minor children or with any other sentencing alternatives. This claim is too vague and conclusory to consider. *See Cook*, 114 Wn.2d at 813-14 (court should decline to consider petition based on conclusory allegations).

Pargoud raises several arguments related to the restitution imposed. She states that she could not pay restitution before sentencing because she did not know how much she owed. The statement of probable cause set forth the exact amount of restitution that was ultimately imposed (\$22,297.87) and noted that there was a civil judgment against Pargoud in the same amount. This civil judgment was entered two years before Pargoud was sentenced. The State filed restitution information three months before sentencing, stating that it was seeking restitution of \$22,297.87. The court ultimately ordered Pargoud to pay restitution in that amount. Her current assertion that she did not know how much restitution she owed lacks credibility.

Pargoud adds that she was subject to double jeopardy when the criminal court sought restitution in the amount established by the civil court judgment arising out of the same incidents. Because the civil action was brought by a private party and not the State, it does not implicate Pargoud's double jeopardy rights. *See State v. Cole*, 128 Wn.2d 262, 274 (1995) (double jeopardy protects individuals from excessive government action), *overruled on other grounds, In re Det. Of Petersen*, 145 Wn.2d 789, 799 (2002).

Pargoud also argues that the State and the trial court breached the plea agreement by recommending and agreeing to a sentence of 43 months because the amount of restitution she was required to pay to avoid this high-end sentence was unclear. The State did not breach the plea agreement, as Pargoud's responsibility to pay a certain amount of restitution was clear. The trial court was not obligated to adhere to the plea agreement, so it cannot be held in breach. *State v. Sledge*, 133 Wn.2d 828, 839 n.6 (1997).

Pargoud also argues that she was under duress when she pleaded guilty to the single count of forgery under cause number 09-1-03816-5. In her statement on plea of guilty to that offense, however, she signed a paragraph stating that no one had made any promises or threats that caused her to plead guilty and that she was entering her plea freely and voluntarily. She again acknowledged that she had reviewed the elements of her offense, as set forth in the second amended information, with her attorney. A defendant's signature on the plea agreement is strong evidence that the agreement is voluntary. *State v. Branch*, 129 Wn.2d 635, 642 (1996). Pargoud's conclusory assertions to the contrary do not refute this presumption.

Finally, Pargoud claims that her attorney was ineffective in persuading her not to withdraw her guilty plea, based on the State's intention to seek an aggravated exceptional sentence if she went to trial. Pargoud was originally charged with 12 felony counts, and her attorney's advice that she plead guilty to 7 of those counts and avoid an exceptional sentence does not appear to constitute deficient performance. *See State v. Osborne*, 102 Wn.2d 87, 99 (1984) (in context of guilty plea, defense counsel must actually assist defendant in determining whether to plead guilty). Pargoud also asserts that her attorney

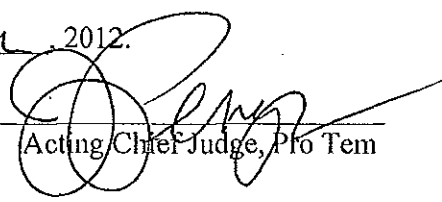
did not fully inform her of her options before she pleaded guilty. She does not disclose these options or further explain this claim, and again it is too conclusory to consider.

Pargoud does not succeed in showing error that entitles her to relief.

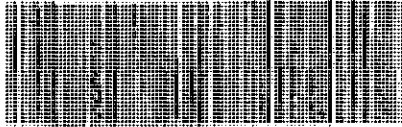
Accordingly, it is hereby

ORDERED that this petition is dismissed under RAP 16.11(b), and the petitioner's request for the appointment of counsel is denied.

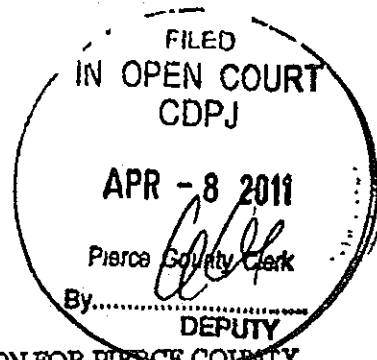
DATED this 21st day of December, 2012.


Acting Chief Judge, Pro Tem

cc: Rosemary H. Pargoud
Pierce County Clerk
County Cause Nos. 09-1-03815-7; 09-1-03816-5
Mark Lindquist, Pierce County Prosecuting Attorney
Brian Wasankari, Deputy Prosecuting Attorney



09-1-03816-5 36193179 JDSWCD 04-11-11



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO: 09-1-03816-5

VS

ROSEMARY HIBBLER PARGOUD,

Defendant.

WARRANT OF COMMITMENT

- 1) ☐ County Jail
 2) ☒ Dept. of Corrections
 3) ☐ Other Custody

THE STATE OF WASHINGTON TO THE DIRECTOR OF ADULT DETENTION OF PIERCE COUNTY:

WHEREAS, Judgment has been pronounced against the defendant in the Superior Court of the State of Washington for the County of Pierce, that the defendant be punished as specified in the Judgment and Sentence/Order Modifying/Revoking Probation/Community Supervision, a full and correct copy of which is attached hereto.

[] 1. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Pierce County Jail).

☒ 2. YOU, THE DIRECTOR, ARE COMMANDED to take and deliver the defendant to the proper officers of the Department of Corrections, and

YOU, THE PROPER OFFICERS OF THE DEPARTMENT OF CORRECTIONS, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Department of Corrections custody).

WARRANT OF
COMMITMENT -3

Office of Prosecuting Attorney
 930 Tacoma Avenue S. Room 946
 Tacoma, Washington 98402-2171
 Telephone: (253) 798-7400

09-1-03816-5

[] 3 YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for
classification, confinement and placement as ordered in the Judgment and Sentence.
(Sentence of confinement or placement not covered by Sections 1 and 2 above).

Dated: 4-8-11

By direction of the Honorable

JUDGE
RONALD CULPEPPER
KEVIN STOCK

CLERK
By: Melissa Engler
DEPUTY CLERK

CERTIFIED COPY DELIVERED TO SHERIFF

APR - 8 2011 By Melissa Engler Deputy

STATE OF WASHINGTON

ss:

County of Pierce

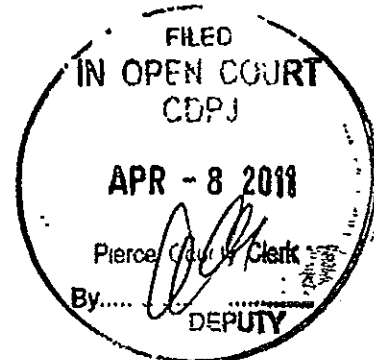
I, Kevin Stock, Clerk of the above entitled
Court, do hereby certify that this foregoing
instrument is a true and correct copy of the
original now on file in my office.
IN WITNESS WHEREOF, I hereunto set my
hand and the Seal of Said Court this

_____ day of _____,

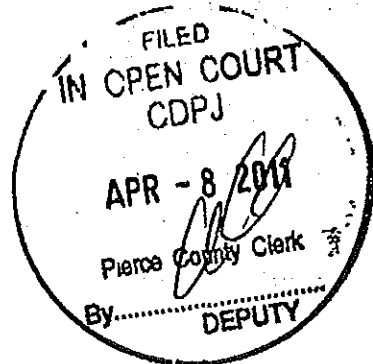
KEVIN STOCK, Clerk

By: _____ Deputy

A



09-1-03816-5



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03816-5 APR - 8 2011

vs.

ROSEMARY HIBBLER PARGOUD

Defendant.

JUDGMENT AND SENTENCE (FJS)

☒ Prison [] RCW 9.94A.712 Prison Confinement
☐ Jail One Year or Less
☐ First-Time Offender
☐ Special Sexual Offender Sentencing Alternative
☐ Special Drug Offender Sentencing Alternative
☐ Breaking The Cycle (BTC)
☐ Clerk's Action Required, para 4.5
 (SDOSA), 4.7 and 4.8 (SSOSA) 4.15.2, 5.3, 5.6
 and 5.8

SID: 18040488
 DOB: 9/4/68

I. HEARING

- 1.1 A sentencing hearing was held and the defendant, the defendant's lawyer and the (deputy) prosecuting attorney were present.

II. FINDINGS

There being no reason why judgment should not be pronounced, the court FINDS.

- 2.1 CURRENT OFFENSE(S): The defendant was found guilty on 1-18-11
 by [X] plea [] jury-verdict [] bench trial of:

COUNT	CRIME	RCW	ENHANCEMENT TYPE*	DATE OF CRIME	INCIDENT NO
I	FORGERY	9A.60.020(1)(a)(b)		3/23/07	070920555

* (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Veh. Hom, See RCW 46.61.520, (JP) Juvenile present, (SM) Sexual Motivation, (SCF) Sexual Conduct with a Child for a Fee. See RCW 9.94A.533(8). (If the crime is a drug offense, include the type of drug in the second column.)

as charged in the SECOND AMENDED Information

JUDGMENT AND SENTENCE (JS)
 (Felony) (7/2007) Page 1 of 1

Office of Prosecuting Attorney
 930 Tacoma Avenue S. Room 946
 Tacoma, Washington 98402-2171
 Telephone: (253) 798-7400

11-9-041081-1

09-1-03816-5

- ☐ Current offenses encompassing the same criminal conduct and counting as one crime in determining the offender score are (RCW 9.94A.589):
- ☐ Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):

2.2 CRIMINAL HISTORY (RCW 9.94A.525):

	CRIME	DATE OF SENTENCE	SENTENCING COURT (County & State)	DATE OF CRIME	A or J ADULT JUV	TYPE OF CRIME
1	THEFT 1 X2	2/16/07	KING	11/5/02	A	NV
2	THEFT 1	CURRENT	PIERCE 09-1-03816-5	3/1/08	A	NV
3	FORGERY	CURRENT	PIERCE "	3/1/08	A	NV
4	THEFT 1	CURRENT	PIERCE "	4/1/08	A	NV
5	FORGERY	CURRENT	PIERCE "	5/1/08	A	NV
6	THEFT 1	CURRENT	PIERCE "	5/1/08	A	NV
7	THEFT 1	CURRENT	PIERCE "	6/1/08	A	NV

- ☐ The court finds that the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525):

2.3 SENTENCING DATA:

COUNT NO	OFFENDER SCORE	SERIOUSNESS LEVEL	STANDARD RANGE (not including enhancements)	PLUS ENHANCEMENTS	TOTAL STANDARD RANGE (including enhancements)	MAXIMUM TERM
I	8	I	17-22 MOS	NONE	17-22 MOS	5 YRS

2.4 ☐ EXCEPTIONAL SENTENCE. Substantial and compelling reasons exist which justify an exceptional sentence:

- ☐ within ☐ below the standard range for Count(s) _____.
- ☐ above the standard range for Count(s) _____.

☐ The defendant and state stipulate that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.

☐ Aggravating factors were ☐ stipulated by the defendant, ☐ found by the court after the defendant waived jury trial, ☐ found by jury by special interrogatory.

Findings of fact and conclusions of law are attached in Appendix 2.4. ☐ Jury's special interrogatory is attached. The Prosecuting Attorney ☐ did ☐ did not recommend a similar sentence.

2.5 ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS The court has considered the total amount owing, the defend's past, present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. The court finds that the defendant has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753

- ☐ The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753):

- ☐ The following extraordinary circumstances exist that make payment of nonmandatory legal financial obligations inappropriate:

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2.6 For violent offenses, most serious offenses, or armed offenders recommended sentencing agreements or plea agreements are ☐ attached ☐ as follows: N/A

III. JUDGMENT

3.1 The defendant is GUILTY of the Counts and Charges listed in Paragraph 2.1.

3.2 ☐ The court DISMISSES Counts _____ ☐ The defendant is found NOT GUILTY of Counts _____

IV. SENTENCE AND ORDER

IT IS ORDERED:

4.1 Defendant shall pay to the Clerk of this Court: (Pierce County Clerk, 930 Tacoma Ave #110, Tacoma WA 98402)

JASS CODE

RIN/RJN	\$ _____	Restitution to: _____
	\$ _____	Restitution to: _____
	(Name and Address--address may be withheld and provided confidentially to Clerk's Office).	
PCV	\$ 300.00	Crime Victim assessment
DNA	\$ 100.00	DNA Database Fee
PUB	\$ 500.00	Court-Appointed Attorney Fees and Defense Costs
FRC	\$ 200.00	Criminal Filing Fee
FCM	\$ _____	Fine

OTHER LEGAL FINANCIAL OBLIGATIONS (specify below)

\$ _____ Other Costs for: _____

\$ _____ Other Costs for: _____

\$ 1300.00 TOTAL

☐ The above total does not include all restitution which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753. A restitution hearing:

☐ shall be set by the prosecutor.

☐ is scheduled for _____

☐ RESTITUTION. Order Attached

☒ Restitution ordered above shall be paid jointly and severally with:

	NAME of other defendant	CAUSE NUMBER	(Victim name)	(Amount-\$)
RJN	_____	_____	_____	_____

09-1-03816-5

[] The Department of Corrections (DOC) or clerk of the court shall immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602, RCW 9.94A.760(8).

[X] All payments shall be made in accordance with the policies of the clerk, commencing immediately, unless the court specifically sets forth the rate herein: Not less than \$_____ per month commencing _____. RCW 9.94.760. If the court does not set the rate herein, the defendant shall report to the clerk's office within 24 hours of the entry of the judgment and sentence to set up a payment plan.

The defendant shall report to the clerk of the court or as directed by the clerk of the court to provide financial and other information as requested. RCW 9.94A.760(7)(b)

[] **COSTS OF INCARCERATION.** In addition to other costs imposed herein, the court finds that the defendant has or is likely to have the means to pay the costs of incarceration, and the defendant is ordered to pay such costs at the statutory rate. RCW 10.01.160.

COLLECTION COSTS The defendant shall pay the costs of services to collect unpaid legal financial obligations per contract or statute. RCW 36.18.190, 9.94A.780 and 19.16.500.

INTEREST The financial obligations imposed in this judgment shall bear interest from the date of the judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090

COSTS ON APPEAL An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW. 10.73.160.

4.1b **ELECTRONIC MONITORING REIMBURSEMENT.** The defendant is ordered to reimburse _____ (name of electronic monitoring agency) at _____ for the cost of pretrial electronic monitoring in the amount of \$_____.

4.2 [X] **DNA TESTING.** The defendant shall have a blood/biological sample drawn for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency, the county or DOC, shall be responsible for obtaining the sample prior to the defendant's release from confinement. RCW 43.43.754.

[] **HIV TESTING.** The Health Department or designee shall test and counsel the defendant for HIV as soon as possible and the defendant shall fully cooperate in the testing. RCW 70.24.340.

4.3 **NO CONTACT**

The defendant shall not have contact with Gary Hutt (name, DOB) including, but not limited to, personal, verbal, telephonic, written or contact through a third party for 5 years (not to exceed the maximum statutory sentence).

[] Domestic Violence No-Contact Order, Antiharassment No-Contact Order, or Sexual Assault Protection Order is filed with this Judgment and Sentence.

4.4 **OTHER:** Property may have been taken into custody in conjunction with this case. Property may be returned to the rightful owner. Any claim for return of such property must be made within 90 days. After 90 days, if you do not make a claim, property may be disposed of according to law.

09-1-03816-5

4.4a BOND IS HEREBY EXONERATED

4.5 CONFINEMENT OVER ONE YEAR. The defendant is sentenced as follows:

(a) CONFINEMENT. RCW 9.94A.589. Defendant is sentenced to the following term of total confinement in the custody of the Department of Corrections (DOC):

22 months on Count 1 months on Count _____
 _____ months on Count _____ months on Count _____
 _____ months on Count _____ months on Count _____

Actual number of months of total confinement ordered is: 22 months

(Add mandatory firearm, deadly weapons, and sexual motivation enhancement time to run consecutively to other counts, see Section 2.3, Sentencing Data, above).

[] The confinement time on Count(s) _____ contain(s) a mandatory minimum term of _____.

CONSECUTIVE/CONCURRENT SENTENCES. RCW 9.94A.589. All counts shall be served concurrently, except for the portion of those counts for which there is a special finding of a firearm, other deadly weapon, sexual motivation, VUCSA in a protected zone, or manufacture of methamphetamine with juvenile present as set forth above at Section 2.3, and except for the following counts which shall be served consecutively.

concurrent with 09-1-03815-7

The sentence herein shall run consecutively to all felony sentences in other cause numbers imposed prior to the commission of the crime(s) being sentenced. The sentence herein shall run concurrently with felony sentences in other cause numbers imposed after the commission of the crime(s) being sentenced except for the following cause numbers. RCW 9.94A.589: _____

Confinement shall commence immediately unless otherwise set forth here: _____

(c) The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505. The time served shall be computed by the jail unless the credit for time served prior to sentencing is specifically set forth by the court: 57 days

09-1-03816-5

4.6 ☐ **COMMUNITY PLACEMENT** (pre 7/1/00 offenses) is ordered as follows:

Count _____ for _____ months;

Count _____ for _____ months;

Count _____ for _____ months;

☐ **COMMUNITY CUSTODY** is ordered as follows:

Count _____ for a range from: _____ to _____ Months;

Count _____ for a range from: _____ to _____ Months;

Count _____ for a range from: _____ to _____ Months;

or for the period of earned release awarded pursuant to RCW 9.94A.728(1) and (2), whichever is longer, and standard mandatory conditions are ordered. [See RCW 9.94A.700 and .705 for community placement offenses which include serious violent offenses, second degree assault, any crime against a person with a deadly weapon finding and chapter 69.50 or 69.52 RCW offense not sentenced under RCW 9.94A.660 committed before July 1, 2000. See RCW 9.94A.715 for community custody range offenses, which include sex offenses not sentenced under RCW 9.94A.712 and violent offenses committed on or after July 1, 2000. Community custody follows a term for a sex offense -- RCW 9.94A. Use paragraph 4.7 to impose community custody following work ethic camp.]

On or after July 1, 2003, DOC shall supervise the defendant if DOC classifies the defendant in the A or B risk categories; or, DOC classifies the defendant in the C or D risk categories and at least one of the following apply:

following apply:		
a) the defendant committed a current or prior:		
i) Sex offense	ii) Violent offense	iii) Crime against a person (RCW 9.94A.411)
iv) Domestic violence offense (RCW 10.99.020)	v) Residential burglary offense	
vi) Offense for manufacture, delivery or possession with intent to deliver methamphetamine including its salts, isomers, and salts of isomers,		
vii) Offense for delivery of a controlled substance to a minor; or attempt, solicitation or conspiracy (vi, vii)		
b) the conditions of community placement or community custody include chemical dependency treatment.		
c) the defendant is subject to supervision under the interstate compact agreement, RCW 9.94A.745.		

While on community placement or community custody, the defendant shall: (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at DOC-approved education, employment and/or community restitution (service); (3) notify DOC of any change in defendant's address or employment; (4) not consume controlled substances except pursuant to lawfully issued prescriptions; (5) not unlawfully possess controlled substances while in community custody; (6) pay supervision fees as determined by DOC; (7) perform affirmative acts necessary to monitor compliance with the orders of the court as required by DOC, and (8) for sex offenses, submit to electronic monitoring if imposed by DOC. The residence location and living arrangements are subject to the prior approval of DOC while in community placement or community custody. Community custody for sex offenders not sentenced under RCW 9.94A.712 may be extended for up to the statutory maximum term of the sentence. Violation of community custody imposed for a sex offense may result in additional confinement.

☐ The defendant shall not consume any alcohol.☐ Defendant shall have no contact with: _____

☐ Defendant shall remain ☐ within ☐ outside of a specified geographical boundary, to wit: _____

☐ Defendant shall not reside in a community protection zone (within 880 feet of the facilities or grounds of a public or private school). (RCW 9.94A.030(8))

☐ The defendant shall participate in the following crime-related treatment or counseling services: _____

☐ The defendant shall undergo an evaluation for treatment for ☐ domestic violence ☐ substance abuse ☐ mental health ☐ anger management and fully comply with all recommended treatment.

☐ The defendant shall comply with the following crime-related prohibitions: _____

Other conditions may be imposed by the court or DOC during community custody, or are set forth here: _____

☐ For sentences imposed under RCW 9.94A.712, other conditions, including electronic monitoring, may be imposed during community custody by the Indeterminate Sentence Review Board, or in an emergency by DOC. Emergency conditions imposed by DOC shall not remain in effect longer than seven working days.

PROVIDED: That under no circumstances shall the total term of confinement plus the term of community custody actually served exceed the statutory maximum for each offense

4.7 ☐ **WORK ETHIC CAMP.** RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is eligible and is likely to qualify for work ethic camp and the court recommends that the defendant serve the sentence at a work ethic camp. Upon completion of work ethic camp, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions below. Violation of the conditions of community custody may result in a return to total confinement for the balance of the defendant's remaining time of total confinement. The conditions of community custody are stated above in Section 4.6.

4.8 **OFF LIMITS ORDER** (known drug trafficker) RCW 10.66.020. The following areas are off limits to the defendant while under the supervision of the County Jail or Department of Corrections: _____

V. NOTICES AND SIGNATURES

5.1 **COLLATERAL ATTACK ON JUDGMENT.** Any petition or motion for collateral attack on this Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in RCW 10.73.100, RCW 10.73.090

5.2 **LENGTH OF SUPERVISION.** For an offense committed prior to July 1, 2000, the defendant shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for the

09-1-03816-3

purpose of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.305. The clerk of the court is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations. RCW 9.94A.760(4) and RCW 9.94A.753(4).

5.3 **NOTICE OF INCOME-WITHHOLDING ACTION.** If the court has not ordered an immediate notice of payroll deduction in Section 4.1, you are notified that the Department of Corrections or the clerk of the court may issue a notice of payroll deduction without notice to you if you are more than 30 days past due in monthly payments in an amount equal to or greater than the amount payable for one month. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A may be taken without further notice. RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.

5.4 **RESTITUTION HEARING.**

☐ Defendant waives any right to be present at any restitution hearing (sign initials): _____

5.5 **CRIMINAL ENFORCEMENT AND CIVIL COLLECTION.** Any violation of this Judgment and Sentence is punishable by up to 60 days of confinement per violation. Per section 2.5 of this document, legal financial obligations are collectible by civil means. RCW 9.94A.634.

5.6 **FIREARMS.** You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record. (The court clerk shall forward a copy of the defendant's driver's license, identicard, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9.41.040, 9.41.047,

5.7 **SEX AND KIDNAPPING OFFENDER REGISTRATION.** RCW 9A.44.130, 10.01.200.

N/A

5.8 ☐ The court finds that Count _____ is a felony in the commission of which a motor vehicle was used. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.285.

5.9 If the defendant is or becomes subject to court-ordered mental health or chemical dependency treatment, the defendant must notify DOC and the defendant's treatment information must be shared with DOC for the duration of the defendant's incarceration and supervision. RCW 9.94A.562.

09-1-03816-5

5.10 OTHER:

DONE in Open Court and in the presence of the defendant this date: 4/8/11

JUDGE

Print name

RONALD CULPEPPER

Deputy Prosecuting Attorney

Print name: Rosalie MartinelliWSB # 25074

Attorney for Defendant

Print name: Matthew WarchamWSB # 98926

Defendant

Print name: Rosemary Pargud

VOTING RIGHTS STATEMENT: RCW 10.64.140. I acknowledge that my right to vote has been lost due to felony convictions. If I am registered to vote, my voter registration will be cancelled. My right to vote may be restored by: a) A certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) A court order issued by the sentencing court restoring the right, RCW 9.92.066; c) A final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or d) A certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 92A.84.660.

Defendant's signature: Rosemary PargudFILED
IN OPEN COURT
CDPJ

APR - 8 2011

Pierce County Clerk

By: [Signature]
DEPUTY

09-1-03816-5

CERTIFICATE OF CLERK

CAUSE NUMBER of this case: 09-1-03816-5

I, KEVIN STOCK Clerk of this Court, certify that the foregoing is a full, true and correct copy of the Judgment and Sentence in the above-entitled action now on record in this office.

WITNESS my hand and seal of the said Superior Court affixed this date: _____

Clerk of said County and State, by: _____, Deputy Clerk

IDENTIFICATION OF COURT REPORTER

Court Reporter

Paula Johnson

09-1-03816-5

IDENTIFICATION OF DEFENDANT

SID No. 18040488

Date of Birth [REDACTED] 68

(If no SID take fingerprint card for State Patrol)

FBI No. 730660CB1

Local ID No. UNKNOWN

PCN No. 539072749

Other

Alias name, SSN, DOB: _____

Race:

☐ Asian/Pacific
Islander☒ Black/African-
American☐ Caucasian

Ethnicity:

☐ Hispanic

Sex:

☐ Male☐ Native American☐ Other☒ Non-
Hispanic☒ Female

FINGERPRINTS

Left four fingers taken simultaneously

Left Thumb

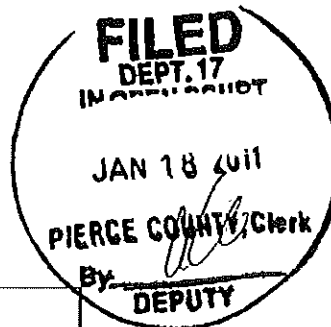
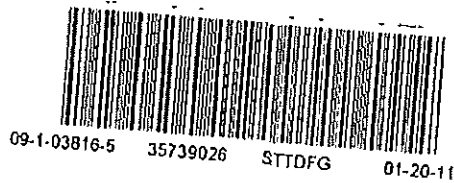
Right Thumb

Right four fingers taken simultaneously

I attest that I saw the same defendant who appeared in court on this document affix his or her fingerprints and
signature thereto. Clerk of the Court, Deputy Clerk, [Signature] Dated: 4-8-11

DEFENDANT'S SIGNATURE [Signature]

DEFENDANT'S ADDRESS: _____



**Superior Court of Washington
For Pierce County**

State of Washington

Plaintiff

vs.

ROSEMARY PARGOUD

Defendant

No. 09-1-03816-5

**Statement of Defendant on Plea of
Guilty to Non-Sex Offense
(Felony)
(STDFG)**

1. My true name is: ROSEMARY HIBBLER PARGOUD
2. My age is: 42
3. The last level of education I completed was 14
4. **I Have Been Informed and Fully Understand That:**
 - (a) I have the right to representation by a lawyer and if I cannot afford to pay for a lawyer, one will be provided at no expense to me. My lawyer's name is: Jane Melby
 - (b) I am charged with the ^{second} crime(s) of: Forgery
as set out in the amended Information, dated, 1/18/11, a copy of which I hereby acknowledge previously receiving and reviewing with my lawyer. [Signature]
The elements of ☒ this crime ☐ these crimes (Defendant's initials)
are as set out in the amended Information, dated 1/18/11 a copy of which I hereby acknowledge previously receiving and reviewing with my lawyer [Signature]
(Defendant's initials)
5. **I Understand I Have the Following Important Rights, and I Give Them Up by Pleading Guilty:**
 - (a) The right to a speedy and public trial by an impartial jury in the county where the crime was allegedly committed;
 - (b) The right to remain silent before and during trial, and the right to refuse to testify against

myself;

- (c) The right at trial to hear and question the witnesses who testify against me;
- (d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;
- (e) The right to be presumed innocent unless the State prove the charge beyond a reasonable doubt or I enter a plea of guilty;
- (f) The right to appeal a finding of guilt after a trial as well as other pretrial motions such as time for trial challenges and suppression issues.

6. In Considering the Consequences of my Guilty Plea, I Understand That

- (a) Each crime with which I am charged carries a maximum sentence, a fine, and a **Standard Sentence Range** as follows:

COUNT NO	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	COMMUNITY CUSTODY	MAXIMUM TERM AND FINE
1	8	17-22 months			5years/\$10,000
2					
3					

*Each sentencing enhancement will run consecutively to all other parts of my entire sentence, including other enhancements and other counts. The enhancement codes are (F) Firearm, RCW 9 94A 533, (D) Other deadly weapon, RCW 9 94A 533, (V) VUCSA in protected zone, RCW 69 50 435, RCW 9 94A 533, (SM) Sexual Motivation, RCW 9 94A 533, (SCF) Sexual conduct with a child for a fee, RCW 9.94A.533(9), (CSG) Criminal street gang involving minor, RCW 9 94A 533, (AE) Endangerment while attempting to elude. RCW 9 94A.533

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.
- (c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If the Prosecutor and I disagree about the computation of the offender score, I understand that this dispute will be resolved by the court at sentencing. I waive any right to challenge the acceptance of my guilty plea on the grounds that my offender score or standard range is lower than what is listed in paragraph 6(a). If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.
- (d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a

mandatory sentence of life imprisonment without the possibility of parole is required by law

- (e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.
- (f) **For crimes committed prior to July 1, 2000:** In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the total period of confinement is more than 12 months, and if this crime is a drug offense, assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community custody. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community custody. The actual period of community custody, community placement, or community supervision, may be longer than my earned early release period. During the period of community custody, community placement, or community supervision, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me. My failure to comply with these conditions will render me ineligible for general assistance. RCW 74.04.005 (6) (h).

For offenses committed after July 1, 2000 but prior to July 26, 2009: The court may impose a community custody range as follows: for serious violent offenses, 24 to 36 months; for crimes against persons, 9 to 12 months; for offenses under 69.50 and 69.52, 9 to 12 months.

For crimes committed on or after July 1, 2000. In addition to sentencing me to confinement, under certain circumstances the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months, but only if the crime I have been convicted of falls into one of the offense types listed in the following chart. For the offense of failure to register as a sex offender, regardless of the length of confinement, the judge will sentence me to 36 months of community custody. If the total period of confinement ordered is more than 12 months, and if the crime I have been convicted of falls into one of the offense types listed in the following chart, the court will sentence me to community custody for the term established for that offense type unless the judge finds substantial and compelling reasons not to do so. If the period of earned release awarded per RCW 9.94A.728 is longer, that will be the term of my community custody. If the crime I have been convicted of falls into more than one category of offense types listed in the following chart, then the community custody term will be based on the offense type that dictates the longest term of community custody.

OFFENSE TYPE	COMMUNITY CUSTODY TERM
Serious Violent Offenses as defined by RCW 9.94A.030(45)	36 months

Violent Offenses as defined by RCW 9 94A 030(54)	18 months
Crimes Against Persons as defined by RCW 9 94A 411(2)	12 months
Offenses under Chapter 69 50 or 69 52 RCW (not sentenced under RCW 9 94A 660)	12 months
Offenses involving the unlawful possession of a firearm where the offender is a criminal street gang member or associate See RCW 9 94A 701(3)(b), 9 41 040	12 months

Certain sentencing alternatives may also include community custody.

During the period of community custody I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me, including additional conditions of community custody that may be imposed by the Department of Corrections. My failure to comply with these conditions will render me ineligible for general assistance, RCW 74 04.005(6)(h), and may result in the Department of Corrections transferring me to a more restrictive confinement status or other sanctions.

If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

- (g) The prosecuting attorney will make the following recommendation to the judge: _____
 22 months
 \$500 CVPA \$400 DAC \$200 costs \$100 DNA
 no contact with victim restitution
 agreement to 09-1-03815-7

☐ The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference

- (h) **The judge does not have to follow anyone's recommendation as to sentence.** The Court must impose a sentence within the standard range unless it finds substantial and compelling reasons not to do so. I understand the following regarding exceptional sentences:

- (i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.
- (ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.
- (iii) The judge may also impose an exceptional sentence above the standard range if the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.
- (iv) The judge may also impose an exceptional sentence above the standard range if

the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

I understand that if the court imposes a standard range sentence, then no one may appeal the sentence. If the court imposes an exceptional sentence after a hearing, either the State or I can appeal the sentence.

- (j) **If I am not a citizen of the United States**, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
- (j) I understand that I may not possess, own, or have under my control any firearm unless my right to do so is restored by a court of record and that I must immediately surrender any concealed pistol license. RCW 9.41.040.
- (k) I understand that I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3, RCW 29A.04.079, 29A.08 520.
- (l) **Government assistance may be suspended** during any period of confinement.
- (m) I understand that I will be required to have a **biological sample** collected for purposes of DNA identification analysis. For offenses committed on or after July 1, 2002, I will be required to pay a \$100.00 DNA collection fee, unless the court finds that imposing the fee will cause me an undue hardship.

Notification Relating to Specific Crimes: If any of the following paragraphs DO NOT APPLY, counsel and the defendant shall strike them out. The defendant and the judge shall initial all paragraphs that DO APPLY.

- _____ (n) This offense is a **most serious offense** or "strike" as defined by RCW 9 94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.
- _____ (o) The judge may sentence me as a **first-time offender** instead of giving a sentence within the standard range if I qualify under RCW 9.94A.030. This sentence could include as much as 90 days' confinement and up to two years community custody plus all of the conditions described in paragraph (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training.
- _____ (p) If this crime involves **kidnapping involving a minor**, including unlawful imprisonment involving a minor who is not my child, I will be required to register where I reside, study or work. The specific registration requirements are set forth in the "Offender Registration"

Attachment. These requirements may change at a later date. I am responsible for learning about any changes in registration requirements and for complying with the new requirements.

- _____ (g) If this is a crime of domestic violence, I may be ordered to pay a domestic violence assessment of up to \$100.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.
- _____ (r) If this crime involves **prostitution, or a drug offense associated with hypodermic needles**, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.
- _____ (s) The judge may sentence me under the drug offender sentencing alternative (**DOSA**) if I qualify under RCW 9.94A.660. If I qualify, and the judge is considering a residential chemical dependency treatment-based alternative, the judge may order that I be examined by DOC before deciding to impose a DOSA sentence. If the judge decides to impose a DOSA sentence, it could be either a prison-based alternative or a residential chemical dependency treatment-based alternative.

If the judge imposes the **prison-based alternative**, the sentence will consist of a period of total confinement in a state facility for one-half of the midpoint of the standard range, or 12 months, whichever is greater. During confinement, I will be required to undergo a comprehensive substance abuse assessment and to participate in treatment. The judge will also impose a term of community custody of one-half of the midpoint of the standard range.

If the judge imposes the **residential chemical dependency treatment-based alternative**, the sentence will consist of a term of community custody equal to one-half of the midpoint of the standard sentence range or two years, whichever is greater, and I will have to enter and remain in a certified residential chemical dependency treatment program for a period of **three to six months**, as set by the court.

As part of this sentencing alternative, the court is required to schedule a progress hearing during the period of residential chemical dependency treatment and a treatment termination hearing scheduled three months before the expiration of the term of community custody. At either hearing, based upon reports by my treatment provider and the department of corrections on my compliance with treatment and monitoring requirements and recommendations regarding termination from treatment, the judge may modify the conditions of my community custody or order me to serve a term of total confinement equal to one-half of the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.

During the term of community custody for either sentencing alternative, the judge could prohibit me from using alcohol or controlled substances, require me to submit to urinalysis or other testing to monitor that status, require me to devote time to a specific employment or training, stay out of certain areas, pay \$30.00 per month to offset the cost of monitoring and require other conditions, such as affirmative conditions, and the conditions described in paragraph 6(e). The judge, on his or her own initiative, may order me to appear in court at any time during the period of community custody to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. If the court finds that I have violated the conditions of the sentence or that I have failed to make satisfactory progress in treatment, the court may modify the terms of my community custody or order me to serve a term of total confinement within the

standard range

- _____ (t) If I am subject to community custody and the judge finds that I have a chemical dependency that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty
- _____ (u) If this crime involves the manufacture, delivery, or possession with the intent to deliver methamphetamine, including its salts, isomers, and salts of isomers, or amphetamine, including its salts, isomers, and salts of isomers, a mandatory methamphetamine clean-up fine of \$3,000 will be assessed RCW 69.50.401(2)(b).
- _____ (v) If this crime involves a violation of the state drug laws, my eligibility for state and federal food stamps, welfare, and education benefits may be affected 20 U.S.C. § 1091(r) and 21 U.S.C. § 862a.
- _____ (w) I understand that RCW 46.20.285 requires that my driver's license be revoked if the judge finds I used a motor vehicle in the commission of this felony.
- _____ (x) If this crime involves the offense of vehicular homicide while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502, committed on or after January 1, 1999, an additional two years shall be added to the presumptive sentence for vehicular homicide for each prior offense as defined in RCW 46.61.5055(14).
- _____ (y) If I am pleading guilty to felony driving under the influence of intoxicating liquor or any drugs, or felony actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, in addition to the provisions of chapter 99A RCW, I will be required to undergo alcohol or chemical dependency treatment services during incarceration. I will be required to pay the costs of treatment unless the court finds that I am indigent. My driving privileges will be suspended, revoked or denied. Following the period of suspension, revocation or denial, I must comply with ignition interlock device requirements
- _____ (z) The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. This law does not apply to crimes committed on or after July 24, 2005, by a juvenile who was tried as an adult after decline of juvenile court jurisdiction. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6[n].
- _____ (aa) I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and _____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.
- _____ (bb) I understand that the offense(s) I am pleading guilty to include(s) a Violation of the Uniform Controlled Substances Act in a protected zone enhancement or manufacture of methamphetamine when a juvenile was present in or upon the premises of manufacture enhancement. I understand these enhancements are mandatory and that they must run consecutively to all other sentencing provisions.

- ____ (cc) I understand that the offense(s) I am pleading guilty to include(s) a **deadly weapon, firearm, or sexual motivation enhancement**. Deadly weapon, firearm, or sexual motivation enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements.
- ____ (dd) If I am pleading guilty to (1) **unlawful possession of a firearm(s) in the first or second degree and (2) felony theft of a firearm or possession of a stolen firearm**, I am required to serve the sentences for these crimes consecutively to one another. If I am pleading guilty to unlawful possession of more than one firearm, I must serve each of the sentences for unlawful possession consecutively to each other.
- ____ (ee) I understand that if I am pleading guilty to the crime of **unlawful practices in obtaining assistance** as defined in RCW 74.08.331, no assistance payment shall be made for at least six months if this is my first conviction and for at least 12 months if this is my second or subsequent conviction. This suspension of benefits will apply even if I am not incarcerated. RCW 74.08.290.
- ____ (ff) The judge may authorize **work ethic camp**. To qualify for work ethic authorization my term of total confinement must be more than twelve months and less than thirty-six months, I cannot currently be either pending prosecution or serving a sentence for violation of the uniform controlled substance act and I cannot have a current or prior conviction for a sex or violent offense. RCW 9.94A.690

7. I plead guilty to count(s) 1 as charged in the amended Information, dated 1/18/11. I have received a copy of that Information and reviewed it with my lawyer.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement

11. The judge has asked me to state what I did in my own words that makes me guilty of this crime. This is my statement: I am not guilty. ~~However after reviewing the evidence I believe a jury could convict me.~~ Therefore, I wish to take advantage of the state's offer. as I

am looking at a significant amount of time
if convicted of all charges //

☒ Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment, if applicable. I understand them all. I have been given a copy

of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Rosanne M. Poyant
Defendant

I have read and discussed this statement with the defendant. I believe that the defendant is competent and fully understands the statement.

Rosalie Martinelli
Prosecuting Attorney
ROSALIE MARTINELLI
Print Name WSBA No. 25018

John Mely
Defendant's Lawyer
Print Name WSBA No. 24798

The defendant signed the foregoing statement was signed by the defendant in the presence of the defendant's lawyer and acknowledged in open court before the undersigned judge. The defendant asserted that [check appropriate box]:

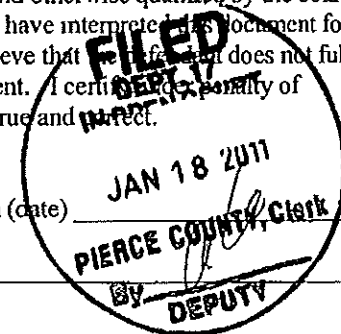
- ☐ (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- ☐ (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- ☐ (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is included below.

Interpreter's Declaration. I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language. I have interpreted this document for the defendant from English into that language. I have no reason to believe that the defendant does not fully understand both the interpretation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____

Interpreter _____

Print Name _____

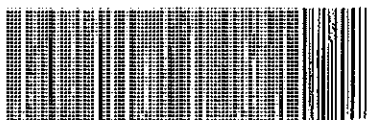


I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: January 18, 2011

Ronald Culpepper
Judge

RONALD CULPEPPER



09-1-03816-5 34821020 ADPCSP 07-09-10

OF WASHINGTON FOR PIERCE COUNTY IN OPEN COURT

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03816-5

vs.

ROSEMARY PARGOUD HIBBLER,

Defendant.

FILED
CD 2

JUL - 8 2010

Pierce County Clerk

By

DEPUTY

SUPPLEMENTAL DECLARATION FOR
DETERMINATION OF PROBABLE CAUSE

ROSIE MARTINELLI, declares under penalty of perjury:

That the Declaration for Determination of Probable Cause dated the 20th day of August, 2009, is by reference incorporated herein;

That I am a deputy prosecuting attorney for Pierce County and I am familiar with the police report and/or investigation conducted by the LAKEWOOD POLICE DEPARTMENT, incident number 070920555;

That the police report and/or investigation provided me the following information;

That in Pierce County, Washington, on or about the 11th day of May, 2010, the defendant, ROSEMARY HIBBLER PARGOUD, did additionally commit BAIL JUMPING.

On September 17, 2009, the defendant was arraigned on two counts of Forgery, a class "C" felony. At that time, the court released the defendant on her personal recognizance and imposed other conditions. On the Order Establishing Conditions, the defendant was warned that failure to appear for a court hearing is a separate crime. At the time of the defendant's arraignment, a Scheduling Order was filed which established the future court hearings at which the defendant was ordered to appear. The defendant signed the Scheduling Order. On the Scheduling Order, the defendant was warned that a failure to appear would result in a warrant issued for her arrest.

The defendant appeared at subsequent hearings. On April 20, 2010, the defendant moved for a continuance of her trial date to May 11, 2010. The continuance was granted and the defendant signed the Order Continuing Trial.

On May 11, 2010, the defendant failed to appear for trial.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: June 25, 2010
PLACE: TACOMA, WA

Rosie Martinelli
ROSIE MARTINELLI, WSB# 25078

SUPPLEMENTAL DECLARATION FOR DETERMINATION
OF PROBABLE CAUSE -1

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

☐ ORIGINAL

August 20 2009 8:37 AM

KEVIN STOCK
COUNTY CLERK

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03816-5

vs.

ROSEMARY HIBBLER PARGOUD,

DECLARATION FOR DETERMINATION OF
PROBABLE CAUSE

Defendant.

ROSIE MARTINELLI, declares under penalty of perjury:

That I am a deputy prosecuting attorney for Pierce County and I am familiar with the police report and/or investigation conducted by the LAKEWOOD POLICE DEPARTMENT, incident number 070920555;

That the police report and/or investigation provided me the following information;

That in Pierce County, Washington, on or about the 2nd day of April, 2007, the defendant, ROSEMARY HIBBLER PARGOUD, did commit FORGERY (2 counts).

On April 7, 2007, Lakewood Police Officer Bowl was dispatched to the Bank of America on Bridgeport Way SW regarding a fraud/forgery report. The bank manager stated that Rosemary PARGOUD was at the bank to access her accounts. The manager stated that PARGOUD's accounts were frozen due to several unpaid checks returned on PARGOUD's business account. The manager stated that PARGOUD has a history of cashing checks and removing money from her account before the checks are denied. Several accounts were under PARGOUD's name and her business, ATIP. Police learned that PARGOUD moves money from one account to another so she can keep ahead of the check transactions to ensure funds are not withdrawn from the accounts before she can withdraw the money.

The manager stated that she was contacted by the manager of Check Cash at the B&I who stated that PARGOUD cashed a check for \$300.00 on March 25, 2007. The check was a Bank of America temporary check that had Comtech Construction in Eatonville printed on the top. The check was made payable to ATIP. When the owner of Comtech Construction was contacted (Gary Hutt), he stated that he did not write a check to PARGOUD. Hutt told police that he used to employ PARGOUD for accounting services.

The officer contacted PARGOUD at the bank. PARGOUD was shocked that the bank froze her accounts. She stated that she is the business owner of ATIP and had several accounts for business purposes. PARGOUD stated that she did not print the check and did not try to cash it. When PARGOUD was told that the B&I had proof that she cashed the fraudulent check, PARGOUD stated that someone else printed it and PARGOUD cashed it unknowingly.

The officer then contacted the manager at the B&I who stated that PARGOUD also cashed a second check on March 27th. The check was dated March 27, 2007, and was made payable to ATIP for

DECLARATION FOR DETERMINATION
OF PROBABLE CAUSE -1

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

1 \$418.75. It was drawn on a Bank of America account. The business printed on the check was Comtech
Construction in Eatonville. The "for" section on the check noted "Accounting Fee (LB Tulare, CA)."

2 Det. Gildehaus arrived and spoke with PARGOUD. After being read her Miranda warnings,
PARGOUD initially denied having cashed the check and stated that someone else must be using her
3 company name to cash the checks. PARGOUD then changed her story and said that she did cash the
check, but did not know how the heading had gotten on there. The detective stated that PARGOUD
4 talked in circles and rarely answered the questions posed.

5 PARGOUD later stated that she used to work for Comtech Construction as a bookkeeper and that
she did a lot of work for them without collecting pay. PARGOUD could not answer how the check came
into her possession.

6 Police later learned that PARGOUD also worked for Hutt's brother-in-law and that PARGOUD
was suspected of fraud on his company as well.

7 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF
WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

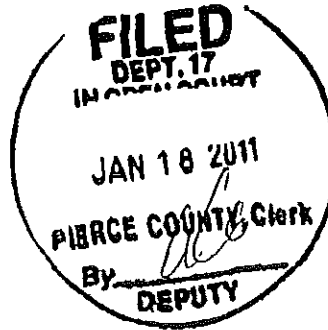
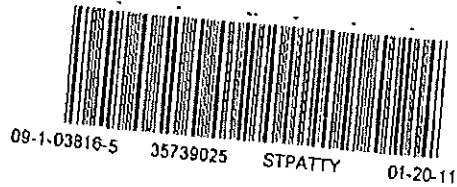
8 DATED: August 20, 2009

9 PLACE: TACOMA, WA

10 /s/ LISA WAGNER
11 ROSIE MARTINELLI, WSB# 25078

24 DECLARATION FOR DETERMINATION
OF PROBABLE CAUSE -2

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Main Office (253) 798-7400



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03816-5

vs.

ROSEMARY HIBBLER PARGOUD,

PROSECUTOR'S STATEMENT
REGARDING AMENDED
INFORMATION

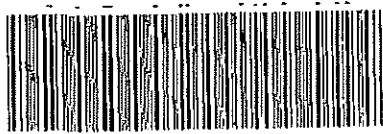
Defendant.

The State requests the Court to consider accepting a plea to the filing of an Amended Information pursuant to RCW 9.94A.431 for the following reasons: The Amended Information is the result of a global resolution that includes cause no. 09-1-03815-7. The resolution alleviates the need for two trials and holds the defendant accountable on both cases. The victim has been notified of the resolution.

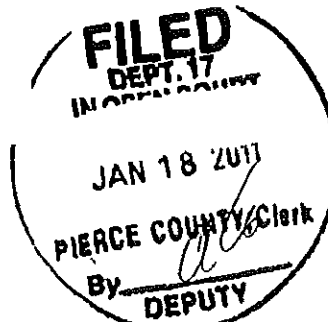
1-18-11

Date

ROSIE MARTINELLI
Deputy Prosecuting Attorney
WSB # 25078



09-1-03816-5 35738024 AMINF2 01-20-11



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03816-5

vs.

ROSEMARY HIBBLER PARGOUD,

SECOND AMENDED INFORMATION

Defendant.

DOB: [REDACTED] 1968
PCN#: 539072749SEX : FEMALE
SID#: 18040488RACE: BLACK
DOL#: WA [REDACTED]

COUNT I

I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of FORGERY, committed as follows:

That ROSEMARY HIBBLER PARGOUD, in the State of Washington, on or about the 25th day of March, 2007, did unlawfully and feloniously, with intent to injure or defraud, falsely make, complete or alter a written instrument described as follows, to-wit: A CHECK, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as true such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of the State of Washington.

DATED this 18th day of January, 2011.

LAKEWOOD POLICE DEPARTMENT
WA02723MARK LINDQUIST
Pierce County Prosecuting Attorney

rvm

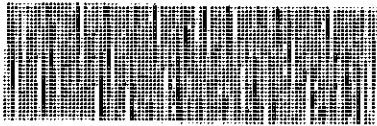
By:

ROSIE MARTINELLI
Deputy Prosecuting Attorney
WSB# 25078

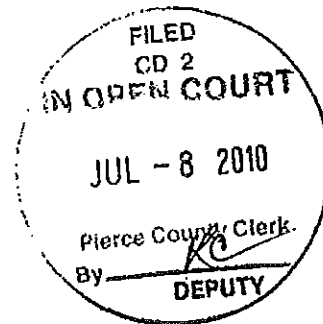
SECOND AMENDED INFORMATION- 1

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

ORIGINAL



09-1-03816-5 34621017 AMINF 07-09-10



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03816-5

vs.

ROSEMARY HIBBLER PARGOUD,

FIRST AMENDED INFORMATION

Defendant.

DOB: [REDACTED] 1968
PCN#: 539072749SEX : FEMALE
SID#: 18040488RACE: BLACK
DOL#: [REDACTED]

COUNT I

I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of FORGERY, committed as follows:

That ROSEMARY HIBBLER PARGOUD, in the State of Washington, on or about the 25th day of March, 2007, did unlawfully and feloniously, with intent to injure or defraud, falsely make, complete or alter a written instrument described as follows, to-wit: A CHECK, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as true such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of the State of Washington.

COUNT II

And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a series of acts connected together or constituting parts of a single scheme or plan, and/or so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of the others, committed as follows:

That ROSEMARY HIBBLER PARGOUD, in the State of Washington, on or about the 27th day of March, 2007, did unlawfully and feloniously, with intent to injure or defraud, falsely make, complete

FIRST AMENDED INFORMATION- 1

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

CONFIDENTIAL

1 or alter a written instrument described as follows, to-wit: A CHECK, and/or knowing the same to be
2 forged, possess, utter, offer, dispose of or put off as true such written instrument, contrary to RCW
3 9A.60.020(1)(a)(b), and against the peace and dignity of the State of Washington.

4 COUNT III

5 And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
6 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
7 BAIL JUMPING, a crime of the same or similar character, and/or a crime based on the same conduct or
8 on a series of acts connected together or constituting parts of a single scheme or plan, and/or so closely
9 connected in respect to time, place and occasion that it would be difficult to separate proof of one charge
10 from proof of the others, committed as follows:

11 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, on or about the 11th day
12 of May, 2010, did unlawfully and feloniously, having been held for, charged with, or convicted of,
13 FORGERY, a class "B" or "C" felony, and been released by court order or admitted to bail with
14 knowledge of the requirement of a subsequent personal appearance before any court in this state, fail to
15 appear as required, contrary to RCW 9A.76.170(1) and 9A.76.170(3)(c), and against the peace and
16 dignity of the State of Washington.

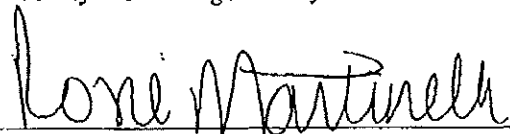
17 DATED this 25th day of June, 2010.

18 LAKEWOOD POLICE DEPARTMENT
19 WA02723

20 MARK LINDQUIST
21 Pierce County Prosecuting Attorney

22 rvm

23 By:

24 
ROSIE MARTINELLI
Deputy Prosecuting Attorney
WSB#: 25078

FIRST AMENDED INFORMATION- 2

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

August 20 2009 8:37 AM

KEVIN STOCK
COUNTY CLERK

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03816-5

vs.

ROSEMARY HIBBLER PAROUD,

INFORMATION

Defendant.

DOB: [REDACTED] 1968
PCN#: 539072749

SEX : FEMALE
SID#: 18040488

RACE: BLACK
DOL#: [REDACTED]

COUNT I

I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROSEMARY HIBBLER PAROUD of the crime of FORGERY, committed as follows:

That ROSEMARY HIBBLER PAROUD, in the State of Washington, on or about the 25th day of March, 2007, did unlawfully and feloniously, with intent to injure or defraud, falsely make, complete or alter a written instrument described as follows, to-wit: A CHECK, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as true such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of the State of Washington.

COUNT II

And I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROSEMARY HIBBLER PAROUD of the crime of FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a series of acts connected together or constituting parts of a single scheme or plan, and/or so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of the others, committed as follows:

That ROSEMARY HIBBLER PAROUD, in the State of Washington, on or about the 27th day of March, 2007, did unlawfully and feloniously, with intent to injure or defraud, falsely make, complete

INFORMATION- 1

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

1 or alter a written instrument described as follows, to-wit: A CHECK, and/or knowing the same to be
2 forged, possess, utter, offer, dispose of or put off as true such written instrument, contrary to RCW
3 9A.60.020(1)(a)(b), and against the peace and dignity of the State of Washington.

4 DATED this 20th day of August, 2009.

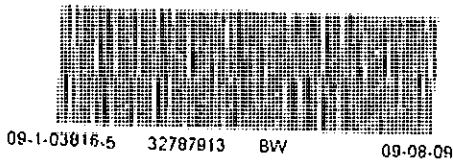
5 LAKEWOOD POLICE DEPARTMENT
6 WA02723

GERALD A. HORNE
Pierce County Prosecuting Attorney

7 rvm

By: /s/ LISA WAGNER

ROSIE MARTINELLI
Deputy Prosecuting Attorney
WSB#: 25078



FILED
IN COUNTY CLERK'S OFFICE

A.M. SEP - 8 2009 P.M.

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY _____ DEPUTY

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03816-5

vs.

BENCH WARRANT

ROSEMARY HIBBLER PARGOUD,

Defendant.

CHRI NUMBER: 961390014

8207 29TH AVE CT S #L, LAKEWOOD, WA 98499
BAIL BOND AGENCY: NONE

TO ALL PEACE OFFICERS IN THE STATE OF WASHINGTON, GREETINGS:

WHEREAS, an order of court has been entered directing the Clerk of the above entitled court to issue a warrant for the arrest of the above named defendant ROSEMARY HIBBLER PARGOUD

SEX FEMALE; RACE BLACK; EYES BROWN; WEIGHT 295; HEIGHT 6'0"; DOB [REDACTED] 68; POLICE AGENCY: WA02723; DATE OF VIOLATION 04/02/07; POLICE AGENCY CASE NO. 070920555;

You are hereby commanded to forthwith arrest the said ROSEMARY HIBBLER PARGOUD, for the crime(s) of FORGERY; FORGERY, said defendant having failed to appear for ARRAIGNMENT as ordered by the court and bring said defendant into court to be dealt with according to law. BAIL IS TO BE SET IN OPEN COURT.

WITNESS THE HONORABLE VICKI L. HOGAN

Judge of the said court and seal thereof affixed

This SEP - 8 2009 of September, 2009.

KEVIN STOCK

Clerk of the Superior Court

By _____

Deputy

This is to certify that I received the within bench warrant on the _____ day of _____, and by virtue thereof on the _____ day of _____, I arrested the within named defendant, _____, and now have defendant in full custody.

Extradition: ☐ Washington Only ☒ Shuttle States Only ☐ Nationwide
Warrant Service Fee \$15/Return Fee \$5/Mileage \$ _____ /TOTAL \$ _____

PEACE OFFICER

mal

April 18 2013 11:19 AM

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

KEVIN STOCK
COUNTY CLERK
NO: 09-1-03815-7

DIVISION II

In re the Personal Restraint Petition of

Rosemary Pargoud,

Petitioner.

No. 43606-0-II
(Consolidated with 436116)

CERTIFICATE OF FINALITY

Pierce County

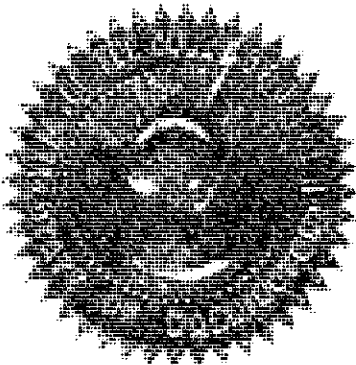
Superior Court No. 09-1-03815-7; 09-1-
03816-5

THE STATE OF WASHINGTON TO: The Superior Court of the State of Washington in and
for Pierce County.

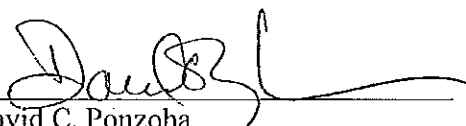
This is to certify that the decision of the Court of Appeals of the State of Washington,
Division II, filed on December 21, 2012, became final on January 23, 2013.

Judgment Creditor: State of Washington: \$534.00

Judgment Debtor: Rosemary H. Pargoud: \$534.00



IN TESTIMONY WHEREOF, I have hereunto set my
hand and affixed the seal of said Court at Tacoma, this
18th day of April, 2013.

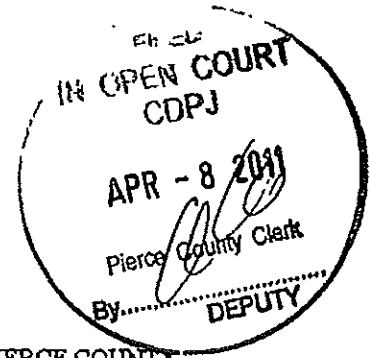

David C. Ponzoha
Clerk of the Court of Appeals,
State of Washington, Division II

cc: State of Washington

Rosemary H. Pargoud
Mission Creek Corr. Ctr.
3420 NE Sand Hill Rd
Belfair, WA 98528

Brian Neal Wasankari

09-1-03815-7 36193052 JDSWCD 04-11-11



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO: 09-1-03815-7

vs.

APR - 8 2011

ROSEMARY HIBBLER PARGOUD,

WARRANT OF COMMITMENT

Defendant.

- 1) ☐ County Jail
 2) ☒ Dept. of Corrections
 3) ☐ Other Custody

THE STATE OF WASHINGTON TO THE DIRECTOR OF ADULT DETENTION OF PIERCE COUNTY.

WHEREAS, Judgment has been pronounced against the defendant in the Superior Court of the State of Washington for the County of Pierce, that the defendant be punished as specified in the Judgment and Sentence/Order Modifying/Revoking Probation/Community Supervision, a full and correct copy of which is attached hereto.

- [] 1. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Pierce County Jail).

- X 2. YOU, THE DIRECTOR, ARE COMMANDED to take and deliver the defendant to the proper officers of the Department of Corrections, and

YOU, THE PROPER OFFICERS OF THE DEPARTMENT OF CORRECTIONS, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Department of Corrections custody).

WARRANT OF
COMMITMENT -3

Office of Prosecuting Attorney
 930 Tacoma Avenue S. Room 946
 Tacoma, Washington 98402-2171
 Telephone: (253) 798-7400

09-1-03815-7

[] 3. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement or placement not covered by Sections 1 and 2 above).

Dated: 4-8-11

By direction of the Honorable

JUDGE

KEVIN STOCK, CLERK

By: Melissa Engler

DEPUTY CLERK

CERTIFIED COPY DELIVERED TO SHERIFF

APR - 8 2011 Melissa Engler

STATE OF WASHINGTON

SS:

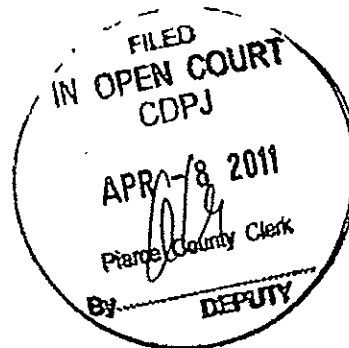
County of Pierce

I, Kevin Stock, Clerk of the above entitled Court, do hereby certify that this foregoing instrument is a true and correct copy of the original now on file in my office.
IN WITNESS WHEREOF, I hereunto set my hand and the Seal of Said Court this _____ day of _____,

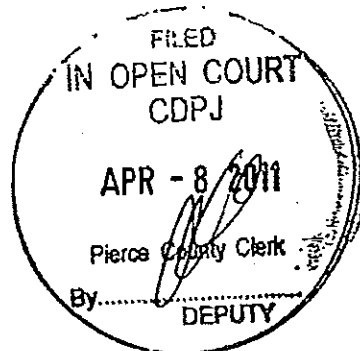
KEVIN STOCK, Clerk

By: _____ Deputy

A



09-1-03815-7



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

APR - 8 2011

Plaintiff,

CAUSE NO. 09-1-03815-7

vs.

ROSEMARY HIBBLER PARGOUD

Defendant.

SID: 18040488

DOB: 9/4/68

JUDGMENT AND SENTENCE (FJS)

☒ Prison ☐ RCW 9.94A.712 Prison Confinement☐ Jail One Year or Less☐ First-Time Offender☐ Special Sexual Offender Sentencing Alternative☐ Special Drug Offender Sentencing Alternative☐ Breaking The Cycle (BTC)☐ Clerk's Action Required, para 4.5

(SDOSA), 4.7 and 4.8 (SSOSA) 4.15.2, 5.3, 5.6 and 5.8

I. HEARING

- 1.1 A sentencing hearing was held and the defendant, the defendant's lawyer and the (deputy) prosecuting attorney were present.

II. FINDINGS

There being no reason why judgment should not be pronounced, the court FINDS:

- 2.1 CURRENT OFFENSE(S): The defendant was found guilty on 1-18-11
by ☒ plea ☐ jury-verdict ☐ bench trial of:

COUNT	CRIME	RCW	ENHANCEMENT TYPE*	DATE OF CRIME	INCIDENT NO
I	THEFT IN THE FIRST DEGREE	9A.56.0020(1)(a) AND 9A.56.030(1)(a)		3/1/08	0800488
II	FORGERY	9A.60.020(1)(a)(b)		3/1/08	0800488
III	THEFT IN THE FIRST DEGREE	9A.56.0020(1)(a) AND 9A.56.030(1)(a)		4/1/08	0800488
IV	FORGERY	9A.60.020(1)(a)(b)		5/1/08	0800488

JUDGMENT AND SENTENCE (JS)
(Felony) (7/2007) Page 1 of 1

Office of Prosecuting Attorney
930 Tacoma Avenue S. Room 946
Tacoma, Washington 98402-2171
Telephone: (253) 798-7400

11-9-04080-2

09-1-03815-7

COUNT	CRIME	RCW	ENHANCEMENT TYPE*	DATE OF CRIME	INCIDENT NO
V	THEFT IN THE FIRST DEGREE	9A.56.0020(1)(a) AND 9A.56.030(1)(a)		5/1/08	0800488
VII	THEFT IN THE FIRST DEGREE	9A.56.0020(1)(a) AND 9A.56.030(1)(a)		6/1/08	0800488

* (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Veh. Hom, See RCW 46.61.520, (JP) Juvenile present, (SM) Sexual Motivation, (SCF) Sexual Conduct with a Child for a Fee. See RCW 9.94A.533(8). (If the crime is a drug offense, include the type of drug in the second column.)

as charged in the SECOND AMENDED Information

☐ Current offenses encompassing the same criminal conduct and counting as one crime in determining the offender score are (RCW 9.94A.589):

☐ Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):

2.2 CRIMINAL HISTORY (RCW 9.94A.525):

	CRIME	DATE OF SENTENCE	SENTENCING COURT (County & State)	DATE OF CRIME	A or J ADULT JUV	TYPE OF CRIME
1	THEFT 1 X2	2/16/07	KING	11/5/02	A	NV
2	THEFT 1	CURRENT	PIERCE	3/1/08	A	NV
3	FORGERY	CURRENT	PIERCE	3/1/08	A	NV
4	THEFT 1	CURRENT	PIERCE	4/1/08	A	NV
5	FORGERY	CURRENT	PIERCE	5/1/08	A	NV
6	THEFT 1	CURRENT	PIERCE	5/1/08	A	NV
7	THEFT 1	CURRENT	PIERCE	6/1/08	A	NV
8	FORGERY	OTHER CURRENT	PIERCE	4/2/07	A	NV

☐ The court finds that the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525):

2.3 SENTENCING DATA:

COUNT NO	OFFENDER SCORE	SERIOUSNESS LEVEL	STANDARD RANGE (not including enhancements)	PLUS ENHANCEMENTS	TOTAL STANDARD RANGE (including enhancements)	MAXIMUM TERM
I	8	II	33-43 MOS	NONE	33-43 MOS	10 YRS
II	8	I	17-22 MOS	NONE	17-22 MOS	5 YRS
III	8	II	33-43 MOS	NONE	33-43 MOS	10 YRS
IV	8	I	17-22 MOS	NONE	17-22 MOS	5 YRS
V	8	I	33-43 MOS	NONE	33-43 MOS	10 YRS
VII	8	I	33-43 MOS	NONE	33-43 MOS	10 YRS

2.4 ☐ EXCEPTIONAL SENTENCE. Substantial and compelling reasons exist which justify an exceptional sentence.

☐ within ☐ below the standard range for Count(s) _____.

JUDGMENT AND SENTENCE (JS)
(Felony) (7/2007) Page 2 of 2

Office of Prosecuting Attorney
930 Tacoma Avenue S. Room 946
Tacoma, Washington 98402-2171
Telephone: (253) 798-7400

09-1-03815-7

☐ The defendant and state stipulate that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.

☐ Aggravating factors were ☐ stipulated by the defendant, ☐ found by the court after the defendant waived jury trial, ☐ found by jury by special interrogatory.

Findings of fact and conclusions of law are attached in Appendix 2.4. ☐ Jury's special interrogatory is attached. The Prosecuting Attorney ☐ did ☐ did not recommend a similar sentence.

2.5 ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS. The court has considered the total amount owing, the defend's past, present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. The court finds that the defendant has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753.

☐ The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753):

☐ The following extraordinary circumstances exist that make payment of nonmandatory legal financial obligations inappropriate:

2.6 For violent offenses, most serious offenses, or armed offenders recommended sentencing agreements or plea agreements are ☐ attached ☐ as follows: N/A

III. JUDGMENT

3.1 The defendant is GUILTY of the Counts and Charges listed in Paragraph 2.1.

3.2 ☐ The court DISMISSES Counts _____ ☐ The defendant is found NOT GUILTY of Counts _____

IV. SENTENCE AND ORDER

IT IS ORDERED:

4.1 Defendant shall pay to the Clerk of this Court: (Pierce County Clerk, 930 Tacoma Ave #110, Tacoma WA 98402)

JASS CODE

RTN/RJN	\$ _____	Restitution to: _____
	\$ _____	Restitution to: _____
	(Name and Address--address may be withheld and provided confidentially to Clerk's Office)	
PCV	\$ <u>500.00</u>	Crime Victim assessment
DNA	\$ <u>100.00</u>	DNA Database Fee
PUB	\$ <u>500.00</u>	Court-Appointed Attorney Fees and Defense Costs
FRC	\$ <u>200.00</u>	Criminal Filing Fee
FCM	\$ _____	Fine

OTHER LEGAL FINANCIAL OBLIGATIONS (specify below)

\$ _____ Other Costs for: _____

09-1-03815-7

\$ _____ Other Costs for: _____

\$ 1300.00 TOTAL

☒ The above total does not include all restitution which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753 A restitution hearing:

☐ shall be set by the prosecutor.

☒ is scheduled for _____

☒ RESTITUTION. Order Attached

☒ Restitution ordered above shall be paid jointly and severally with:

NAME of other defendant	CAUSE NUMBER	(Victim name)	(Amount-\$)
RJN			

☐ The Department of Corrections (DOC) or clerk of the court shall immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602, RCW 9.94A.760(8)

☒ All payments shall be made in accordance with the policies of the clerk, commencing immediately, unless the court specifically sets forth the rate herein: Not less than \$ _____ per month commencing. _____ RCW 9.94.760. If the court does not set the rate herein, the defendant shall report to the clerk's office within 24 hours of the entry of the judgment and sentence to set up a payment plan.

The defendant shall report to the clerk of the court or as directed by the clerk of the court to provide financial and other information as requested. RCW 9.94A.760(7)(b)

☐ COSTS OF INCARCERATION. In addition to other costs imposed herein, the court finds that the defendant has or is likely to have the means to pay the costs of incarceration, and the defendant is ordered to pay such costs at the statutory rate. RCW 10.01.160.

COLLECTION COSTS The defendant shall pay the costs of services to collect unpaid legal financial obligations per contract or statute. RCW 36.18.190, 9.94A.780 and 19.16.500.

INTEREST The financial obligations imposed in this judgment shall bear interest from the date of the judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090

COSTS ON APPEAL An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW 10.73.160

4.1b **ELECTRONIC MONITORING REIMBURSEMENT.** The defendant is ordered to reimburse _____ (name of electronic monitoring agency) at _____ for the cost of pretrial electronic monitoring in the amount of \$ _____.

4.2 ☒ **DNA TESTING.** The defendant shall have a blood/biological sample drawn for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency, the county or DOC, shall be responsible for obtaining the sample prior to the defendant's release from confinement. RCW 43.43.754.

☐ **HIV TESTING.** The Health Department or designee shall test and counsel the defendant for HIV as soon as possible and the defendant shall fully cooperate in the testing. RCW 70.24.340.

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4.3 NO CONTACT

The defendant shall not have contact with Right at home on Dale Anderson or his family (name, DOB) including, but not limited to, personal, verbal, telephonic, written or contact through a third party for 10 years (not to exceed the maximum statutory sentence).

☐ Domestic Violence No-Contact Order, Antiharassment No-Contact Order, or Sexual Assault Protection Order is filed with this Judgment and Sentence.

4.4 OTHER: Property may have been taken into custody in conjunction with this case. Property may be returned to the rightful owner. Any claim for return of such property must be made within 90 days. After 90 days, if you do not make a claim, property may be disposed of according to law.

4.4a BOND IS HEREBY EXONERATED

4.5 CONFINEMENT OVER ONE YEAR. The defendant is sentenced as follows:

(a) CONFINEMENT. RCW 9.94A.589. Defendant is sentenced to the following term of total confinement in the custody of the Department of Corrections (DOC):

<u>43</u> months on Count	<u>1</u>	<u>22</u> months on Count	<u>4</u> (Forfeiture)
<u>22</u> months on Count	<u>2</u> (Forfeiture)	<u>43</u> months on Count	<u>5</u>
<u>43</u> months on Count	<u>3</u>	<u>43</u> months on Count	<u>7</u>

Actual number of months of total confinement ordered is: 43 months

(Add mandatory firearm, deadly weapons, and sexual motivation enhancement time to run consecutively to other counts, see Section 2.3, Sentencing Data, above).

☐ The confinement time on Count(s) _____ contain(s) a mandatory minimum term of _____.

~~CONSECUTIVE~~ CONCURRENT SENTENCES. RCW 9.94A.589 All counts shall be served concurrently, except for the portion of those counts for which there is a special finding of a firearm, other deadly weapon, sexual motivation, VUCSA in a protected zone, or manufacture of methamphetamine with juvenile present as set forth above at Section 2.3, and except for the following counts which shall be served consecutively:

concurrent with 09-1-03815-5

The sentence herein shall run consecutively to all felony sentences in other cause numbers imposed prior to the commission of the crime(s) being sentenced. The sentence herein shall run concurrently with felony

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sentences in other cause numbers imposed after the commission of the crime(s) being sentenced except for the following cause numbers. RCW 9.94A.589: _____

Confinement shall commence immediately unless otherwise set forth here: _____

(c) The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505. The time served shall be computed by the jail unless the credit for time served prior to sentencing is specifically set forth by the court: 57 days

4.6 ☐ COMMUNITY PLACEMENT (pre 7/1/00 offenses) is ordered as follows:

Count _____ for _____ months;

Count _____ for _____ months;

Count _____ for _____ months;

☐ COMMUNITY CUSTODY is ordered as follows:

Count _____ for a range from: _____ to _____ Months;

Count _____ for a range from: _____ to _____ Months;

Count _____ for a range from: _____ to _____ Months;

or for the period of earned release awarded pursuant to RCW 9.94A.728(1) and (2), whichever is longer, and standard mandatory conditions are ordered. [See RCW 9.94A.700 and .705 for community placement offenses which include serious violent offenses, second degree assault, any crime against a person with a deadly weapon finding and chapter 69.50 or 69.52 RCW offense not sentenced under RCW 9.94A.660 committed before July 1, 2000. See RCW 9.94A.715 for community custody range offenses, which include sex offenses not sentenced under RCW 9.94A.712 and violent offenses committed on or after July 1, 2000. Community custody follows a term for a sex offense -- RCW 9.94A. Use paragraph 4.7 to impose community custody following work ethic camp.]

On or after July 1, 2003, DOC shall supervise the defendant if DOC classifies the defendant in the A or B risk categories, or, DOC classifies the defendant in the C or D risk categories and at least one of the following apply:

a) the defendant committed a current or prior:		
i) Sex offense	ii) Violent offense	iii) Crime against a person (RCW 9.94A.411)
iv) Domestic violence offense (RCW 10.99.020)	v) Residential burglary offense	
vi) Offense for manufacture, delivery or possession with intent to deliver methamphetamine including its salts, isomers, and salts of isomers,		
vii) Offense for delivery of a controlled substance to a minor; or attempt, solicitation or conspiracy (vi, vii)		
b) the conditions of community placement or community custody include chemical dependency treatment.		
c) the defendant is subject to supervision under the interstate compact agreement, RCW 9.94A.745.		

While on community placement or community custody, the defendant shall: (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at DOC-approved

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education, employment and/or community restitution (service); (3) notify DOC of any change in defendant's address or employment; (4) not consume controlled substances except pursuant to lawfully issued prescriptions; (5) not unlawfully possess controlled substances while in community custody; (6) pay supervision fees as determined by DOC; (7) perform affirmative acts necessary to monitor compliance with the orders of the court as required by DOC, and (8) for sex offenses, submit to electronic monitoring if imposed by DOC. The residence location and living arrangements are subject to the prior approval of DOC while in community placement or community custody. Community custody for sex offenders not sentenced under RCW 9.94A.712 may be extended for up to the statutory maximum term of the sentence. Violation of community custody imposed for a sex offense may result in additional confinement.

☐ The defendant shall not consume any alcohol.

☒ Defendant shall have no contact with: Right At Home or Dale Anderson
☒ Defendant shall remain ☒ within ☐ outside of a specified geographical boundary, to wit: family

☐ Defendant shall not reside in a community protection zone (within 880 feet of the facilities or grounds of a public or private school) (RCW 9.94A.030(8))

☐ The defendant shall participate in the following crime-related treatment or counseling services: _____

☐ The defendant shall undergo an evaluation for treatment for ☐ domestic violence ☐ substance abuse
☐ mental health ☐ anger management and fully comply with all recommended treatment.

☐ The defendant shall comply with the following crime-related prohibitions: _____

Other conditions may be imposed by the court or DOC during community custody, or are set forth here: _____


☐ For sentences imposed under RCW 9.94A.712, other conditions, including electronic monitoring, may be imposed during community custody by the Indeterminate Sentence Review Board, or in an emergency by DOC. Emergency conditions imposed by DOC shall not remain in effect longer than seven working days.

PROVIDED: That under no circumstances shall the total term of confinement plus the term of community custody actually served exceed the statutory maximum for each offense

4.7 ☐ **WORK ETHIC CAMP.** RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is eligible and is likely to qualify for work ethic camp and the court recommends that the defendant serve the sentence at a work ethic camp. Upon completion of work ethic camp, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions below. Violation of the conditions of community custody may result in a return to total confinement for the balance of the defendant's remaining time of total confinement. The conditions of community custody are stated above in Section 4.6.

4.8 **OFF LIMITS ORDER** (known drug trafficker) RCW 10.66.020. The following areas are off limits to the defendant while under the supervision of the County Jail or Department of Corrections: _____

V. NOTICES AND SIGNATURES

- 5.1 **COLLATERAL ATTACK ON JUDGMENT.** Any petition or motion for collateral attack on this Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in RCW 10.73.100. RCW 10.73.090.
- 5.2 **LENGTH OF SUPERVISION.** For an offense committed prior to July 1, 2000, the defendant shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for the purpose of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.505. The clerk of the court is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations. RCW 9.94A.760(4) and RCW 9.94A.753(4).
- 5.3 **NOTICE OF INCOME-WITHHOLDING ACTION.** If the court has not ordered an immediate notice of payroll deduction in Section 4.1, you are notified that the Department of Corrections or the clerk of the court may issue a notice of payroll deduction without notice to you if you are more than 30 days past due in monthly payments in an amount equal to or greater than the amount payable for one month. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A may be taken without further notice. RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.
- 5.4 **RESTITUTION HEARING.**
 Defendant waives any right to be present at any restitution hearing (sign initials): 
- 5.5 **CRIMINAL ENFORCEMENT AND CIVIL COLLECTION.** Any violation of this Judgment and Sentence is punishable by up to 60 days of confinement per violation. Per section 2.5 of this document, legal financial obligations are collectible by civil means. RCW 9.94A.634.
- 5.6 **FIREARMS.** You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record. (The court clerk shall forward a copy of the defendant's driver's license, identicard, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9.41.040, 9.41.047.
- 5.7 **SEX AND KIDNAPPING OFFENDER REGISTRATION** RCW 9A.44.130, 10.01.200.
 N/A
- 5.8 ☐ The court finds that Court _____ is a felony in the commission of which a motor vehicle was used. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.285.
- 5.9 If the defendant is or becomes subject to court-ordered mental health or chemical dependency treatment, the defendant must notify DOC and the defendant's treatment information must be shared with DOC for the duration of the defendant's incarceration and supervision. RCW 9.94A.562.

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5.10 OTHER: _____

DONE in Open Court and in the presence of the defendant this date: 4-8-11

JUDGE

Print name

RONALD CULBERGER

Deputy Prosecuting Attorney

Print name: Rosanne MartinelliWSB # 25001

Attorney for Defendant

Print name: Matthew WarchamWSB # 25526

Defendant

Print name: Rosemary Regard

VOTING RIGHTS STATEMENT: RCW 10.64.140. I acknowledge that my right to vote has been lost due to felony convictions. If I am registered to vote, my voter registration will be cancelled. My right to vote may be restored by: a) A certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) A court order issued by the sentencing court restoring the right, RCW 9.92.066; c) A final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or d) A certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 92A.84.660.

Defendant's signature: Rosemary RegardFILED
IN OPEN COURT
CDPJ

APR - 8 2011

Pierce County Clerk

By: [Signature]
DEPUTY

09-1-03815-7

CERTIFICATE OF CLERK

CAUSE NUMBER of this case: 09-1-03815-7

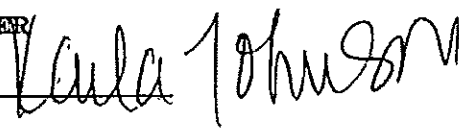
I, KEVIN STOCK Clerk of this Court, certify that the foregoing is a full, true and correct copy of the Judgment and Sentence in the above-entitled action now on record in this office.

WITNESS my hand and seal of the said Superior Court affixed this date. _____

Clerk of said County and State, by: _____, Deputy Clerk

IDENTIFICATION OF COURT REPORTER

Court Reporter



09-1-03815-7

IDENTIFICATION OF DEFENDANT

SID No 18040488
(If no SID take fingerprint card for State Patrol)

Date of Birth [REDACTED] 68

FBI No 750660CB1

Local ID No UNKNOWN

PCN No 539490591

Other

Alias name, SSN, DOB: _____

Race:					Ethnicity:		Sex:
<input type="checkbox"/> Asian/Pacific Islander	<input checked="" type="checkbox"/> Black/African-American	<input type="checkbox"/> Caucasian	<input type="checkbox"/> Hispanic	<input type="checkbox"/> Male			
<input type="checkbox"/> Native American	<input type="checkbox"/> Other: .	<input checked="" type="checkbox"/> Non-Hispanic	<input checked="" type="checkbox"/> Female				

FINGERPRINTS

Left four fingers taken simultaneously

Left Thumb



Right Thumb

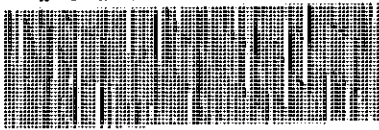
Right four fingers taken simultaneously



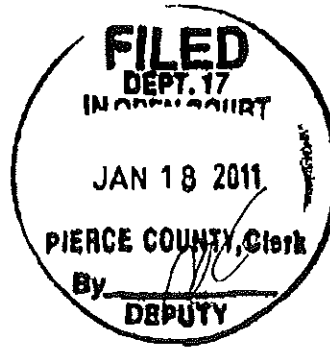
I attest that I saw the same defendant who appeared in court on this document affix his or her fingerprints and signature thereto. Clerk of the Court, Deputy Clerk, _____ Dated: 4-8-11

DEFENDANT'S SIGNATURE: *[Signature]*

DEFENDANT'S ADDRESS: _____



09-1-03815-7 35738832 STTDFG 01-20-11



**Superior Court of Washington
For Pierce County**

State of Washington
Plaintiff
vs.
ROSEMARY PARGOUD
Defendant

No. 09-1-03815-7

**Statement of Defendant on Plea of
Guilty to Non-Sex Offense
(Felony)
(STTDFG)**

1. My true name is: ROSEMARY HIBBLER PARGOUD
2. My age is: 42
3. The last level of education I completed was 14th
4. **I Have Been Informed and Fully Understand That:**
 - (a) I have the right to representation by a lawyer and if I cannot afford to pay for a lawyer, one will be provided at no expense to me. My lawyer's name is: Jane Melby
 - (b) I am charged with the crime(s) of second Theft First x4, Forgery x2
as set out in the amended Information, dated, 1/18/11, a copy of which I hereby
acknowledge previously receiving and reviewing with my lawyer [Signature]
The elements of ☐ this crime ☒ these crimes (Defendant's initials)
are as set out in the amended Information, dated 1/18/11 a copy of which I hereby
acknowledge previously receiving and reviewing with my lawyer. [Signature]
(Defendant's initials)
5. **I Understand I Have the Following Important Rights, and I Give Them Up by Pleading Guilty.**
 - (a) The right to a speedy and public trial by an impartial jury in the county where the crime was allegedly committed,
 - (b) The right to remain silent before and during trial, and the right to refuse to testify against

myself;

- (c) The right at trial to hear and question the witnesses who testify against me;
- (d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me,
- (e) The right to be presumed innocent unless the State prove the charge beyond a reasonable doubt or I enter a plea of guilty;
- (f) The right to appeal a finding of guilt after a trial as well as other pretrial motions such as time for trial challenges and suppression issues.

6. In Considering the Consequences of my Guilty Plea, I Understand That:

- (a) Each crime with which I am charged carries a maximum sentence, a fine, and a **Standard Sentence Range** as follows:

COUNT NO	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	COMMUNITY CUSTODY	MAXIMUM TERM AND FINE
1,3,5,7	8	33-43 months			10 yrs, \$20,000
2,4	8	17-22 months			5yrs, \$10,000
3	8	33-43 months			10 yrs, \$20,000

*Each sentencing enhancement will run consecutively to all other parts of my entire sentence, including other enhancements and other counts. The enhancement codes are (F) Firearm, RCW 9 94A 533, (D) Other deadly weapon, RCW 9 94A 533, (V) VUCSA in protected zone, RCW 69 50 435, RCW 9 94A 533, (SM) Sexual Motivation, RCW 9 94A 533, (SCF) Sexual conduct with a child for a fee, RCW 9 94A 533(9), (CSG) Criminal street gang involving minor, RCW 9 94A 533, (AE) Endangerment while attempting to elude. RCW 9 94A 533.

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.
- (c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If the Prosecutor and I disagree about the computation of the offender score, I understand that this dispute will be resolved by the court at sentencing. I waive any right to challenge the acceptance of my guilty plea on the grounds that my offender score or standard range is lower than what is listed in paragraph 6(a). If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.
- (d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a

mandatory sentence of life imprisonment without the possibility of parole is required by law.

- (e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.
- (f) **For crimes committed prior to July 1, 2000:** In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the total period of confinement is more than 12 months, and if this crime is a drug offense, assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community custody. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community custody. The actual period of community custody, community placement, or community supervision, may be longer than my earned early release period. During the period of community custody, community placement, or community supervision, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me. My failure to comply with these conditions will render me ineligible for general assistance. RCW 74.04.005 (6) (h).

For offenses committed after July 1, 2000 but prior to July 26, 2009: The court may impose a community custody range as follows: for serious violent offenses, 24 to 36 months; for crimes against persons, 9 to 12 months; for offenses under 69.50 and 69.52, 9 to 12 months.

For crimes committed on or after July 1, 2000: In addition to sentencing me to confinement, under certain circumstances the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months, but only if the crime I have been convicted of falls into one of the offense types listed in the following chart. For the offense of failure to register as a sex offender, regardless of the length of confinement, the judge will sentence me to 36 months of community custody. If the total period of confinement ordered is more than 12 months, and if the crime I have been convicted of falls into one of the offense types listed in the following chart, the court will sentence me to community custody for the term established for that offense type unless the judge finds substantial and compelling reasons not to do so. If the period of earned release awarded per RCW 9.94A.728 is longer, that will be the term of my community custody. If the crime I have been convicted of falls into more than one category of offense types listed in the following chart, then the community custody term will be based on the offense type that dictates the longest term of community custody.

OFFENSE TYPE	COMMUNITY CUSTODY TERM
Serious Violent Offenses as defined by RCW 9.94A.030(45)	36 months

Violent Offenses as defined by RCW 9 94A 030(54)	18 months
Crimes Against Persons as defined by RCW 9 94A 411(2)	12 months
Offenses under Chapter 69 50 or 69 52 RCW (not sentenced under RCW 9 94A 660)	12 months
Offenses involving the unlawful possession of a firearm where the offender is a criminal street gang member or associate See RCW 9.94A 701(3)(b), 9 41 040	12 months

Certain sentencing alternatives may also include community custody.

During the period of community custody I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me, including additional conditions of community custody that may be imposed by the Department of Corrections. My failure to comply with these conditions will render me ineligible for general assistance, RCW 74.04.005(6)(h), and may result in the Department of Corrections transferring me to a more restrictive confinement status or other sanctions.

If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

- (g) The prosecuting attorney will make the following recommendation to the judge: _____
 If restitution paid, state will recommend exceptional downward of 29 months.
 if not paid, 43 months \$500 CVPA \$400 DAC \$200 costs \$100 DNA
 no contact with victim restitution, law abiding behavior,
 forfeit all seized prop
 St agrees not to file charges under TPD 10-284-0678
☐ The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference.
- (h) **The judge does not have to follow anyone's recommendation as to sentence.** The Court must impose a sentence within the standard range unless it finds substantial and compelling reasons not to do so. I understand the following regarding exceptional sentences
- (i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.
 - (ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.
 - (iii) The judge may also impose an exceptional sentence above the standard range if the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.
 - (iv) The judge may also impose an exceptional sentence above the standard range if

the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

I understand that if the court imposes a standard range sentence, then no one may appeal the sentence. If the court imposes an exceptional sentence after a hearing, either the State or I can appeal the sentence.

- (i) **If I am not a citizen of the United States**, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States
- (j) I understand that I may not possess, own, or have under my control any firearm unless my right to do so is restored by a court of record and that I must immediately surrender any concealed pistol license RCW 9.41.040.
- (k) I understand that I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3, RCW 29A.04.079, 29A.08.520.
- (l) **Government assistance may be suspended** during any period of confinement.
- (m) I understand that I will be required to have a **biological sample** collected for purposes of DNA identification analysis. For offenses committed on or after July 1, 2002, I will be required to pay a \$100.00 DNA collection fee, unless the court finds that imposing the fee will cause me an undue hardship.

Notification Relating to Specific Crimes: If any of the following paragraphs DO NOT APPLY, counsel and the defendant shall strike them out. The defendant and the judge shall initial all paragraphs that DO APPLY.

- ☐ (n) This offense is a **most serious offense** or "strike" as defined by RCW 9.94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.
- ☐ (o) The judge may sentence me as a **first-time offender** instead of giving a sentence within the standard range if I qualify under RCW 9.94A.030. This sentence could include as much as 90 days' confinement and up to two years community custody plus all of the conditions described in paragraph (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training.
- ☐ (p) If this crime involves **kidnapping involving a minor**, including unlawful imprisonment involving a minor who is not my child, I will be required to register where I reside, study or work. The specific registration requirements are set forth in the "Offender Registration"

Attachment. These requirements may change at a later date. I am responsible for learning about any changes in registration requirements and for complying with the new requirements.

- _____ (q) If this is a crime of domestic violence, I may be ordered to pay a domestic violence assessment of up to \$100.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26 50.150.
- _____ (r) If this crime involves prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.
- _____ (s) The judge may sentence me under the drug offender sentencing alternative (DOSA) if I qualify under RCW 9.94A.660. If I qualify, and the judge is considering a residential chemical dependency treatment-based alternative, the judge may order that I be examined by DOC before deciding to impose a DOSA sentence. If the judge decides to impose a DOSA sentence, it could be either a prison-based alternative or a residential chemical dependency treatment-based alternative.

If the judge imposes the prison-based alternative, the sentence will consist of a period of total confinement in a state facility for one-half of the midpoint of the standard range, or 12 months, whichever is greater. During confinement, I will be required to undergo a comprehensive substance abuse assessment and to participate in treatment. The judge will also impose a term of community custody of one-half of the midpoint of the standard range.

If the judge imposes the residential chemical dependency treatment-based alternative, the sentence will consist of a term of community custody equal to one-half of the midpoint of the standard sentence range or two years, whichever is greater, and I will have to enter and remain in a certified residential chemical dependency treatment program for a period of *three to six months*, as set by the court.

As part of this sentencing alternative, the court is required to schedule a progress hearing during the period of residential chemical dependency treatment and a treatment termination hearing scheduled three months before the expiration of the term of community custody. At either hearing, based upon reports by my treatment provider and the department of corrections on my compliance with treatment and monitoring requirements and recommendations regarding termination from treatment, the judge may modify the conditions of my community custody or order me to serve a term of total confinement equal to one-half of the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.

During the term of community custody for either sentencing alternative, the judge could prohibit me from using alcohol or controlled substances, require me to submit to urinalysis or other testing to monitor that status, require me to devote time to a specific employment or training, stay out of certain areas, pay \$30.00 per month to offset the cost of monitoring and require other conditions, such as affirmative conditions, and the conditions described in paragraph 6(e). The judge, on his or her own initiative, may order me to appear in court at any time during the period of community custody to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. If the court finds that I have violated the conditions of the sentence or that I have failed to make satisfactory progress in treatment, the court may modify the terms of my community custody or order me to serve a term of total confinement within the

standard range

- ____ (t) If I am subject to community custody and the judge finds that I have a **chemical dependency** that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.
- ____ (u) If this crime involves the **manufacture, delivery, or possession with the intent to deliver methamphetamine**, including its salts, isomers, and salts of isomers, or amphetamine, including its salts, isomers, and salts of isomers, a mandatory methamphetamine clean-up fine of \$3,000 will be assessed. RCW 69.50.401(2)(b).
- ____ (v) If this crime involves a **violation of the state drug laws**, my eligibility for state and federal food stamps, welfare, and education benefits may be affected. 20 U.S.C. § 1091(r) and 21 U.S.C. § 862a.
- ____ (w) I understand that RCW 46.20.285 requires that my **driver's license** be revoked if the judge finds I used a motor vehicle in the commission of this felony.
- ____ (x) If this crime involves the offense of **vehicular homicide** while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502, committed on or after January 1, 1999, an additional two years shall be added to the presumptive sentence for vehicular homicide for each prior offense as defined in RCW 46.61.5055(14).
- ____ (y) If I am pleading guilty to **felony driving under the influence of intoxicating liquor or any drugs, or felony actual physical control** of a motor vehicle while under the influence of intoxicating liquor or any drug, in addition to the provisions of chapter 9.94A RCW, I will be required to undergo alcohol or chemical dependency treatment services during incarceration. I will be required to pay the costs of treatment unless the court finds that I am indigent. My driving privileges will be suspended, revoked or denied. Following the period of suspension, revocation or denial, I must comply with ignition interlock device requirements.
- ____ (z) The crime of _____ has a **mandatory minimum** sentence of at least _____ years of total confinement. This law does not apply to crimes committed on or after July 24, 2005, by a juvenile who was tried as an adult after decline of juvenile court jurisdiction. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6[n].
- ____ (aa) I am being sentenced for **two or more serious violent offenses** arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and _____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.
- ____ (bb) I understand that the offense(s) I am pleading guilty to include(s) a **Violation of the Uniform Controlled Substances Act in a protected zone enhancement or manufacture of methamphetamine when a juvenile was present in or upon the premises of manufacture enhancement**. I understand these enhancements are mandatory and that they must run consecutively to all other sentencing provisions.

- _____ (cc) I understand that the offense(s) I am pleading guilty to include(s) a **deadly weapon, firearm, or sexual motivation enhancement**. Deadly weapon, firearm, or sexual motivation enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements.
- _____ (dd) If I am pleading guilty to (1) **unlawful possession of a firearm(s) in the first or second degree** and (2) **felony theft of a firearm or possession of a stolen firearm**, I am required to serve the sentences for these crimes consecutively to one another. If I am pleading guilty to unlawful possession of more than one firearm, I must serve each of the sentences for unlawful possession consecutively to each other.
- _____ (ee) I understand that if I am pleading guilty to the crime of **unlawful practices in obtaining assistance** as defined in RCW 74.08.331, no assistance payment shall be made for at least six months if this is my first conviction and for at least 12 months if this is my second or subsequent conviction. This suspension of benefits will apply even if I am not incarcerated. RCW 74.08.290.
- _____ (ff) The judge may authorize **work ethic camp**. To qualify for work ethic authorization my term of total confinement must be more than twelve months and less than thirty-six months, I cannot currently be either pending prosecution or serving a sentence for violation of the uniform controlled substance act and I cannot have a current or prior conviction for a sex or violent offense. RCW 9.94A 690.

7 I plead guilty to count(s) I, II, III, IV ~~I, II, III, IV~~ as charged in the second ~~amended~~ Information, dated 1/18/11. I have received a copy of that Information and reviewed it with my lawyer.

8 I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement

11. The judge has asked me to state what I did in my own words that makes me guilty of this crime. This is my statement: In March, April, May and June of 2008 in Pierce County, WA I wrote checks to myself, without the authorization of the checks owners, and I cashed the checks.

The checks equaled more than \$1,500. PP

(for each month)

I also forged signatures on the checks PP

☐ Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment, if applicable. I understand them all. I have been given a copy

of this "Statement of Defendant on Plea of Guilty" I have no further questions to ask the judge.

Rosario Mills - Payson
Defendant

I have read and discussed this statement with the defendant. I believe that the defendant is competent and fully understands the statement.

Rosalie Martinelli
Prosecuting Attorney
Rosalie Martinelli
Print Name WSBA No. 25078

Jane Melly
Defendant's Lawyer
8 24798
Print Name WSBA No.

The defendant signed the foregoing statement was signed by the defendant in the presence of the defendant's lawyer and acknowledged in open court before the undersigned judge. The defendant asserted that [check appropriate box].

- ☒ (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- ☒ (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- ☐ (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is included below.

Interpreter's Declaration: I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language. I have interpreted this document for the defendant from English into that language. I have no reason to believe that the defendant does not fully understand both the interpretation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____ on (date) _____

Interpreter _____

Print Name _____
DEPUTY

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated 1/18/2011

Ronald Culpepper
Judge

RONALD CULPEPPER

09-1-03815-7 34620988 ADPCSP 07-09-10

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

FILED
CD 2
IN OPEN COURT

JUL - 3 2010

Pierce County Clerk

By: *[Signature]*
DEPUTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03815-7

vs.

ROSEMARY HIBBLERE PAROUD,

SUPPLEMENTAL DECLARATION FOR
DETERMINATION OF PROBABLE CAUSE

Defendant.

ROSIE MARTINELLI, declares under penalty of perjury:

That the Declaration for Determination of Probable Cause dated the 20th day of August, 2009, is by reference incorporated herein;

That I am a deputy prosecuting attorney for Pierce County and I am familiar with the police report and/or investigation conducted by the FIRCREST POLICE DEPARTMENT, incident number 0800488;

That the police report and/or investigation provided me the following information;

That in Pierce County, Washington, on or about the 11th day of May, 2010, the defendant, ROSEMARY HIBBLER PAROUD, did also commit BAIL JUMPING.

On September 17, 2009, the defendant was arraigned on charges of Theft in the First Degree (4 counts) and Forgery (4 counts). Theft in the First Degree is a class "B" felony and Forgery is a class "C" felony. At that time, the court released the defendant on her personal recognizance and imposed other conditions. On the Order Establishing Conditions, the defendant was warned that failure to appear for a court hearing is a separate crime. At the time of the defendant's arraignment, a Scheduling Order was filed which established the future court hearings at which the defendant was ordered to appear. The defendant signed the Scheduling Order. On the Scheduling Order, the defendant was warned that a failure to appear would result in a warrant issued for her arrest.

The defendant appeared at subsequent hearings. On April 20, 2010, the defendant moved for a continuance of her trial date to May 11, 2010. The continuance was granted and the defendant signed the Order Continuing Trial.

On May 11, 2010, the defendant failed to appear for trial.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: June 25, 2010
PLACE: TACOMA, WA

[Signature: Rosie Martinelli]
ROSIE MARTINELLI, WSB# 25078

SUPPLEMENTAL DECLARATION FOR DETERMINATION
OF PROBABLE CAUSE -1

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

ORIGINAL

August 20 2009 8:35 AM

KEVIN STOCK
COUNTY CLERK

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03815-7

vs.

ROSEMARY HIBBLER PARGOUD,

DECLARATION FOR DETERMINATION OF
PROBABLE CAUSE

Defendant.

ROSALIE MARTINELLI, declares under penalty of perjury:

That I am a deputy prosecuting attorney for Pierce County and I am familiar with the police report and/or investigation conducted by the FIRCREST POLICE DEPARTMENT, incident number 0800488;

That the police report and/or investigation provided me the following information;

That in Pierce County, Washington, on or about the 2nd day of June, 2008, the defendant, ROSEMARY HIBBLER PARGOUD, did commit THEFT IN THE FIRST DEGREE and FORGERY (MULTIPLE COUNTS OF EACH).

On June 20, 2008, Fircrest Police Officer Joyce was dispatched to 412 Bowes Drive regarding a fraud/forgery. The officer contacted Dale Anderson, who is the President and CEO of Right at Home and RAH Staffing Services. Anderson stated that he believes that his bookkeeper, Rosemary PARGOUD, has been forging payroll checks on his business account. Anderson's wife told police that she was routinely reviewing checks when she noticed a check with what appeared to be her husband's signature on it but it had been forged. The check was #6007 and was posted on June 2, 2008, for \$987.15. The check was made payable to Ashley Hibbler. Anderson and his wife confronted PARGOUD, who stated that her daughter was Ashley Hibbler and that Hibbler must have stolen a check when she came to visit and then forged Anderson's name. PARGOUD apologized and stated that she would pay back the money.

Anderson's daughter, Rimona Anderson, who is also the Vice President of the company, suggested that they look at other payroll checks. When doing so, they found 16 checks that had the forged signatures of Rimona or Dale Anderson on them. The checks were made payable to PARGOUD's bookkeeping business, ATIP Accounting. The checks had been computer generated and drawn on the Bank of America account of Right at Home. When Dale Anderson went to look for PARGOUD's personnel file, it was missing. Anderson he stated that someone had pried open the locked file cabinet. Anderson stated that PARGOUD had been employed with his company since the middle of February.

On June 20, 2008, Fircrest Police were notified that PARGOUD showed up for work. An officer went to the Right at Home business and contacted PARGOUD. After being read her Miranda warnings, PARGOUD was confronted about the checks. PARGOUD acted surprised and stated that she knew nothing about the checks or who might be involved. PARGOUD was later taken to the station and re-

DECLARATION FOR DETERMINATION
OF PROBABLE CAUSE -1

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

1 read her Miranda warnings. PARGOUD was shown the checks made out to her with her endorsement on
 2 the back. Those were compared to the signature PARGOUD signed when she contracted for work with
 3 Right at Home. PARGOUD told police that she was paid every Friday and she could not believe she was
 4 under arrest for her paychecks. When the officer pointed out that there were 26 paychecks and there
 5 weren't that many paydays in that time span, PARGOUD continued to deny involvement. PARGOUD
 6 continued to blame her daughter for the prior check written to Ashley Hibbler. PARGOUD continued to
 7 deny involvement and stated that she would not say anything because she would simply get her kids in
 8 trouble.

9 Dale Anderson later contacted police to inform them that a further review of their books revealed
 10 approximately 52 checks that were fraudulently issued to PARGOUD's business, ATIP Accounting. The
 11 checks had the forged signature of the Anderson's. The total amount of the checks was \$22,297.67. The
 12 checks, which are aggregated and grouped per month, are as follows:

13 **March 2008** – Checks 4449 (\$487.69), 4450 (\$397.82), 4453 (\$481.14), 4454 (\$434.28), 4460 (\$381.92),
 14 4549 (\$576.92), 4558 (\$412.63), 4600 (\$467.50)

15 **April 2008** – Checks 4664 (\$387.50), 4666 (\$486.57), 4707 (\$315.26), 4708 (\$325.82), 4709 (\$325.82),
 16 4756 (\$582.00), 4766 (\$486.57), 4767 (\$327.86), 4825 (\$465.25)

17 **May 2008** – Checks 4840 (\$460.00), 4841 (\$418.00), 4842 (\$465.25), 4882 (\$576.10), 4891 (\$457.62),
 18 4892 (\$350.00), 4893 (\$459.65), 4981 (\$357.00), 4983 (\$215.00), 4995 (\$317.50), 5050 (\$423.66), 4952
 19 (\$215.00), 4985 (\$449.05), 4986 (\$552.57), 4993 (\$432.56), 4994 (\$362.95), 5051 (\$451.23), 5054
 20 (\$413.56), 5055 (\$397.52), 5062 (\$397.42)

21 **June 2008** – 5063 (\$482.65), 5065 (\$482.00), 5066 (\$492.00), 5068 (\$487.50), 5069 (\$457.00), 5122
 22 (\$347.52), 5123 (\$438.26), 5165 (\$438.26), 5173 (\$350.45), 5174 (\$215.20), 5175 (\$487.50), 5177
 23 (\$362.90), 5178 (\$357.90), 5181 (\$397.25)

24 **NOTE: A civil default judgment against PARGOUD and ATIP was entered on April 2009, under
 Pierce County Superior Court Cause no. 09-2-06171-3 in the amount of \$22,297.87 plus interest and
 attorney fees.**

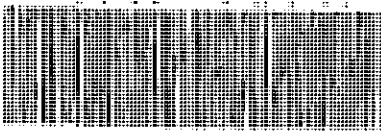
I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF
 WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: August 20, 2009
 PLACE: TACOMA, WA

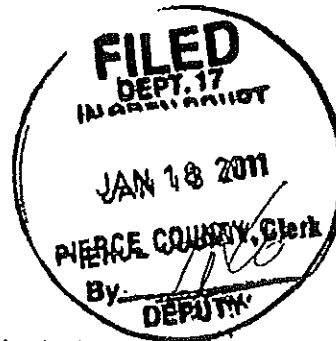
/s/ LISA WAGNER
 ROSALIE MARTINELLI, WSB# 25078

DECLARATION FOR DETERMINATION
 OF PROBABLE CAUSE -2

Office of the Prosecuting Attorney
 930 Tacoma Avenue South, Room 946
 Tacoma, WA 98402-2171
 Main Office (253) 798-7400



09-1-03815-7 35738830 STPATTY 01-20-11



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03815-7

vs.

ROSEMARY HIBBLER PARGOUD,

PROSECUTOR'S STATEMENT
REGARDING AMENDED
INFORMATION

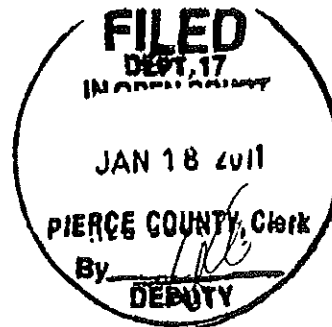
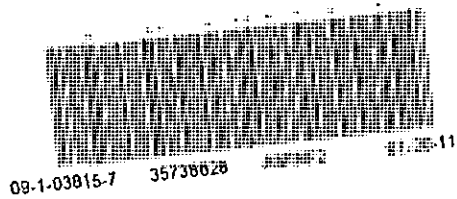
Defendant.

The State requests the Court to consider accepting a plea to the filing of an Amended Information pursuant to RCW 9.94A.431 for the following reasons: The Amended Information is the result of a plea agreement that includes 09-1-03816-5. The global resolution holds the defendant accountable and alleviates the need for two trials. The resolution also considers the defendant's attempt at paying full restitution for the victim business on this case. I have been unable to reach the victim regarding this particular resolution, but the victim has been apprised of earlier attempts to resolve the case.

Date

1-18-11

ROSIE MARTINELLI
Deputy Prosecuting Attorney
WSB # 25078



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03815-7

vs.

ROSEMARY HIBBLER PARGOUD,

SECOND AMENDED INFORMATION

Defendant.

DOB: [REDACTED] 1968
PCN#: 539490591

SEX : FEMALE
SID#: 18040488

RACE: BLACK
DOL#: WA [REDACTED]

COUNT I

I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of THEFT IN THE FIRST DEGREE, committed as follows:

That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period between the 1st day of March, 2008 and the 31st day of March, 2008, did unlawfully, feloniously and wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of such property and/or services, contrary to RCW 9A 56.020(1)(a) and 9A.56.030(1)(a), and against the peace and dignity of the State of Washington.

COUNT II

And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a series of acts connected together or constituting parts of a single scheme or plan, and/or so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of the others, committed as follows:

SECOND AMENDED INFORMATION- 1

ORIGINAL

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

1 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
2 between the 1st day of March, 2008 and the 30th day of April, 2008, did unlawfully and feloniously, with
3 intent to injure or defraud, falsely make, complete or alter a written instrument described as follows, to-
4 wit: CHECKS, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as true
such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of the
State of Washington.

5 COUNT III

6 And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
7 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
8 THEFT IN THE FIRST DEGREE, a crime of the same or similar character, and/or a crime based on the
9 same conduct or on a series of acts connected together or constituting parts of a single scheme or plan,
and/or so closely connected in respect to time, place and occasion that it would be difficult to separate
proof of one charge from proof of the others, committed as follows:

10 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
11 between the 1st day of April, 2008 and the 30th day of April, 2008, did unlawfully, feloniously and
12 wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a
13 motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of
such property and/or services, contrary to RCW 9A.56.020(1)(a) and 9A.56.030(1)(a), and against the
peace and dignity of the State of Washington.

14 COUNT IV

15 And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
16 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
17 FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a
18 series of acts connected together or constituting parts of a single scheme or plan, and/or so closely
connected in respect to time, place and occasion that it would be difficult to separate proof of one charge
from proof of the others, committed as follows:

19 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
20 between the 1st day of May, 2008 and the 30th day of June, 2008, did unlawfully and feloniously, with
21 intent to injure or defraud, falsely make, complete or alter a written instrument described as follows, to-
22 wit: CHECKS, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as true
such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of the
State of Washington.

23 COUNT V

24 And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
SECOND AMENDED INFORMATION- 2

1 THEFT IN THE FIRST DEGREE, a crime of the same or similar character, and/or a crime based on the
2 same conduct or on a series of acts connected together or constituting parts of a single scheme or plan,
3 and/or so closely connected in respect to time, place and occasion that it would be difficult to separate
proof of one charge from proof of the others, committed as follows:

4 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
5 between the 1st day of May, 2008 and the 31st day of May, 2008, did unlawfully, feloniously and
6 wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a
7 motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of
such property and/or services, contrary to RCW 9A.56.020(1)(a) and 9A.56.030(1)(a), and against the
peace and dignity of the State of Washington.

8 COUNT VII

9 And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
10 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
11 THEFT IN THE FIRST DEGREE, a crime of the same or similar character, and/or a crime based on the
12 same conduct or on a series of acts connected together or constituting parts of a single scheme or plan,
and/or so closely connected in respect to time, place and occasion that it would be difficult to separate
proof of one charge from proof of the others, committed as follows:

13 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
14 between the 1st day of June, 2008 and the 30th day of June, 2008, did unlawfully, feloniously and
15 wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a
16 motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of
such property and/or services, contrary to RCW 9A.56.020(1)(a) and 9A.56.030(1)(a), and against the
peace and dignity of the State of Washington.

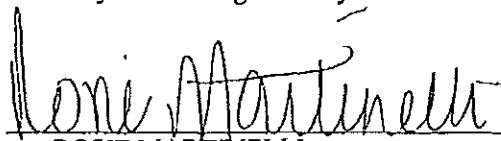
17 DATED this 18th day of January, 2011.

18 FIRCREST POLICE DEPARTMENT
19 WA02717

20
21 rvm

MARK LINDQUIST
Pierce County Prosecuting Attorney

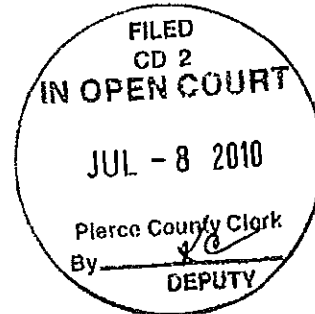
22 By:



ROSIE MARTINELLI
Deputy Prosecuting Attorney
WSB#: 25078



09-1-03815-7 34620998 AMINF 07-08-10



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03815-7

vs.

ROSEMARY HIBBLER PARGOUD,

FIRST AMENDED INFORMATION

Defendant.

DO [REDACTED] 968
PCN#: 539490591SEX : FEMALE
SID#: 18040488RACE: BLACK
DOL#: [REDACTED]

COUNT I

I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of THEFT IN THE FIRST DEGREE, committed as follows:

That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period between the 1st day of March, 2008 and the 31st day of March, 2008, did unlawfully, feloniously and wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of such property and/or services, contrary to RCW 9A.56.020(1)(a) and 9A.56.030(1)(a), and against the peace and dignity of the State of Washington.

COUNT II

And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a series of acts connected together or constituting parts of a single scheme or plan, and/or so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of the others, committed as follows:

FIRST AMENDED INFORMATION- 1

ORIGINAL

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

1 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
2 between the 1st day of March, 2008 and the 31st day of March, 2008, did unlawfully and feloniously,
3 with intent to injure or defraud, falsely make, complete or alter a written instrument described as follows,
4 to-wit: CHECKS, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as
5 true such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of
6 the State of Washington.

7 COUNT III

8 And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
9 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
10 THEFT IN THE FIRST DEGREE, a crime of the same or similar character, and/or a crime based on the
11 same conduct or on a series of acts connected together or constituting parts of a single scheme or plan,
12 and/or so closely connected in respect to time, place and occasion that it would be difficult to separate
13 proof of one charge from proof of the others, committed as follows:

14 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
15 between the 1st day of April, 2008 and the 30th day of April, 2008, did unlawfully, feloniously and
16 wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a
17 motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of
18 such property and/or services, contrary to RCW 9A.56.020(1)(a) and 9A.56.030(1)(a), and against the
19 peace and dignity of the State of Washington.

20 COUNT IV

21 And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
22 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
23 FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a
24 series of acts connected together or constituting parts of a single scheme or plan, and/or so closely
connected in respect to time, place and occasion that it would be difficult to separate proof of one charge
from proof of the others, committed as follows:

That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
between the 1st day of April, 2008 and the 30th day of April, 2008, did unlawfully and feloniously, with
intent to injure or defraud, falsely make, complete or alter a written instrument described as follows, to-
wit: CHECKS, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as true
such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of the
State of Washington.

COUNT V

And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
FIRST AMENDED INFORMATION- 2

1 THEFT IN THE FIRST DEGREE, a crime of the same or similar character, and/or a crime based on the
2 same conduct or on a series of acts connected together or constituting parts of a single scheme or plan,
3 and/or so closely connected in respect to time, place and occasion that it would be difficult to separate
proof of one charge from proof of the others, committed as follows:

4 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
5 between the 1st day of May, 2008 and the 31st day of May, 2008, did unlawfully, feloniously and
6 wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a
7 motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of
such property and/or services, contrary to RCW 9A.56.020(1)(a) and 9A.56.030(1)(a), and against the
peace and dignity of the State of Washington.

8 COUNT VI

9 And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
10 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
11 FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a
12 series of acts connected together or constituting parts of a single scheme or plan, and/or so closely
connected in respect to time, place and occasion that it would be difficult to separate proof of one charge
from proof of the others, committed as follows:

13 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
14 between the 1st day of May, 2008 and the 31st day of May, 2008, did unlawfully and feloniously, with
15 intent to injure or defraud, falsely make, complete or alter a written instrument described as follows, to-
16 wit: CHECKS, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as true
such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of the
State of Washington.

17 COUNT VII

18 And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
19 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
20 THEFT IN THE FIRST DEGREE, a crime of the same or similar character, and/or a crime based on the
21 same conduct or on a series of acts connected together or constituting parts of a single scheme or plan,
and/or so closely connected in respect to time, place and occasion that it would be difficult to separate
proof of one charge from proof of the others, committed as follows:

22 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
23 between the 1st day of June, 2008 and the 30th day of June, 2008, did unlawfully, feloniously and
24 wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a
motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of

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1 such property and/or services, contrary to RCW 9A.56.020(1)(a) and 9A.56.030(1)(a), and against the
2 peace and dignity of the State of Washington.

3 COUNT VIII

4 And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
5 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
6 FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a
7 series of acts connected together or constituting parts of a single scheme or plan, and/or so closely
8 connected in respect to time, place and occasion that it would be difficult to separate proof of one charge
9 from proof of the others, committed as follows:

10 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
11 between the 1st day of June, 2008 and the 30th day of June, 2008, did unlawfully and feloniously, with
12 intent to injure or defraud, falsely make, complete or alter a written instrument described as follows, to-
13 wit: CHECKS, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as true
14 such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of the
15 State of Washington.

16 COUNT IX

17 And I, MARK LINDQUIST, Prosecuting Attorney for Pierce County, in the name and by the
18 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
19 BAIL JUMPING, a crime of the same or similar character, and/or a crime based on the same conduct or
20 on a series of acts connected together or constituting parts of a single scheme or plan, and/or so closely
21 connected in respect to time, place and occasion that it would be difficult to separate proof of one charge
22 from proof of the others, committed as follows:

23 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, on or about the 11th day
24 of May, 2010, did unlawfully and feloniously, having been held for, charged with, or convicted of,
THEFT IN THE FIRST DEGREE AND FORGERY, a class "B" or "C" felony, and been released by
court order or admitted to bail with knowledge of the requirement of a subsequent personal appearance
before any court in this state, fail to appear as required, contrary to RCW 9A.76.170(1) and
9A.76.170(3)(c), and against the peace and dignity of the State of Washington.

DATED this 25th day of June, 2010.

21 FIRCREST POLICE DEPARTMENT
22 WA02717

23 rvm
24

MARK LINDQUIST
Pierce County Prosecuting Attorney

By:

Rosie Martinelli
ROSIE MARTINELLI

Deputy Prosecuting Attorney
WSB#: 25078

FIRST AMENDED INFORMATION- 4

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August 20 2009 8:35 AM

KEVIN STOCK
COUNTY CLERK

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-03815-7

vs.

ROSEMARY HIBBLER PARGOUD,

INFORMATION

Defendant.

DOB [REDACTED] 968
PCN#: 539490591

SEX : FEMALE
SID#: 18040488

RACE: BLACK
DOL#: [REDACTED]

COUNT I

I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of THEFT IN THE FIRST DEGREE, committed as follows:

That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period between the 1st day of March, 2008 and the 31st day of March, 2008, did unlawfully, feloniously and wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of such property and/or services, contrary to RCW 9A.56.020(1)(a) and 9A.56.030(1)(a), and against the peace and dignity of the State of Washington.

COUNT II

And I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a series of acts connected together or constituting parts of a single scheme or plan, and/or so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of the others, committed as follows:

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1 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
2 between the 1st day of March, 2008 and the 31st day of March, 2008, did unlawfully and feloniously,
3 with intent to injure or defraud, falsely make, complete or alter a written instrument described as follows,
4 to-wit: CHECKS, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as
5 true such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of
6 the State of Washington.

7 COUNT III

8 And I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the
9 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
10 THEFT IN THE FIRST DEGREE, a crime of the same or similar character, and/or a crime based on the
11 same conduct or on a series of acts connected together or constituting parts of a single scheme or plan,
12 and/or so closely connected in respect to time, place and occasion that it would be difficult to separate
13 proof of one charge from proof of the others, committed as follows:

14 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
15 between the 1st day of April, 2008 and the 30th day of April, 2008, did unlawfully, feloniously and
16 wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a
17 motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of
18 such property and/or services, contrary to RCW 9A.56.020(1)(a) and 9A.56.030(1)(a), and against the
19 peace and dignity of the State of Washington.

20 COUNT IV

21 And I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the
22 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
23 FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a
24 series of acts connected together or constituting parts of a single scheme or plan, and/or so closely
connected in respect to time, place and occasion that it would be difficult to separate proof of one charge
from proof of the others, committed as follows:

25 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
26 between the 1st day of April, 2008 and the 30th day of April, 2008, did unlawfully and feloniously, with
27 intent to injure or defraud, falsely make, complete or alter a written instrument described as follows, to-
28 wit: CHECKS, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as true
29 such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of the
30 State of Washington.

31 COUNT V

32 And I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the
33 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
34 INFORMATION- 2

1 THEFT IN THE FIRST DEGREE, a crime of the same or similar character, and/or a crime based on the
2 same conduct or on a series of acts connected together or constituting parts of a single scheme or plan,
3 and/or so closely connected in respect to time, place and occasion that it would be difficult to separate
4 proof of one charge from proof of the others, committed as follows:

5 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
6 between the 1st day of May, 2008 and the 31st day of May, 2008, did unlawfully, feloniously and
7 wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a
8 motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of
9 such property and/or services, contrary to RCW 9A.56.020(1)(a) and 9A.56.030(1)(a), and against the
10 peace and dignity of the State of Washington.

11 COUNT VI

12 And I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the
13 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
14 FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a
15 series of acts connected together or constituting parts of a single scheme or plan, and/or so closely
16 connected in respect to time, place and occasion that it would be difficult to separate proof of one charge
17 from proof of the others, committed as follows:

18 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
19 between the 1st day of May, 2008 and the 31st day of May, 2008, did unlawfully and feloniously, with
20 intent to injure or defraud, falsely make, complete or alter a written instrument described as follows, to-
21 wit: CHECKS, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as true
22 such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of the
23 State of Washington.

24 COUNT VII

And I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the
authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
THEFT IN THE FIRST DEGREE, a crime of the same or similar character, and/or a crime based on the
same conduct or on a series of acts connected together or constituting parts of a single scheme or plan,
and/or so closely connected in respect to time, place and occasion that it would be difficult to separate
proof of one charge from proof of the others, committed as follows:

That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
between the 1st day of June, 2008 and the 30th day of June, 2008, did unlawfully, feloniously and
wrongfully obtain or exert unauthorized control over property and/or services other than a firearm or a
motor vehicle, belonging to another, of a value exceeding \$1,500 with intent to deprive said owner of

1 such property and/or services, contrary to RCW 9A.56.020(1)(a) and 9A.56.030(1)(a), and against the
2 peace and dignity of the State of Washington.

3 COUNT VIII

4 And I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the
5 authority of the State of Washington, do accuse ROSEMARY HIBBLER PARGOUD of the crime of
6 FORGERY, a crime of the same or similar character, and/or a crime based on the same conduct or on a
7 series of acts connected together or constituting parts of a single scheme or plan, and/or so closely
8 connected in respect to time, place and occasion that it would be difficult to separate proof of one charge
9 from proof of the others, committed as follows:

10 That ROSEMARY HIBBLER PARGOUD, in the State of Washington, during the period
11 between the 1st day of June, 2008 and the 30th day of June, 2008, did unlawfully and feloniously, with
12 intent to injure or defraud, falsely make, complete or alter a written instrument described as follows, to-
13 wit: CHECKS, and/or knowing the same to be forged, possess, utter, offer, dispose of or put off as true
14 such written instrument, contrary to RCW 9A.60.020(1)(a)(b), and against the peace and dignity of the
15 State of Washington.

16 DATED this 20th day of August, 2009.

17 FIRCREST POLICE DEPARTMENT
18 WA02717

GERALD A. HORNE
Pierce County Prosecuting Attorney

20 rvm

21 By: /s/ LISA WAGNER
22 ROSALIE MARTINELLI
23 Deputy Prosecuting Attorney
24 WSB#: 25078